

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JOSEPH A. SUITS,

Petitioner,

vs.

PARK J. ANDERSON, Warden,
Oklahoma State Penitentiary,

Respondent.

NO. 73-C-339

FILED

MAR 29 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

O R D E R

The Court has for consideration a petition for writ of habeas corpus filed pro se by Joseph A. Suits. Said petition was filed in forma pauperis by permission of the United States District Court for the Eastern District of Oklahoma, and said cause transferred to this Northern District of Oklahoma in accordance with 28 U.S.C. § 2241(d) by Order filed October 12, 1973.

The petitioner challenges as unconstitutional and in violation of his civil rights protected by Federal law a sanity trial wherein he was found sane by jury in August, 1970, and his subsequent convictions in the Tulsa County District Court, State of Oklahoma, in two causes, Case No. CRF-70-523, Appeal No. A-16,696, and Case No. CRF-70-524, Appeal No. A-16,689. However, the Court finds that petitioner is imprisoned at the Oklahoma State Penitentiary, McAlester, Oklahoma, upon only one of these convictions. That is, conviction by jury on November 17, 1970, of robbery with firearms, Case No. CRF-70-523, in the Tulsa County District Court of Oklahoma, and sentence on December 7, 1970, to an indeterminate term of not less than 30 nor more than 90 years. Said judgment and sentence was affirmed on appeal by Order of the Oklahoma Court of Criminal Appeals filed March 21, 1973, Case No. A-16,696, reported Suits v. State, 507 P.2d 1261 (Okla. 1973). The other cause challenged by petitioner, Case No. CRF-70-524, Appeal No. A-16,689, was reversed and remanded for new trial by the Oklahoma Court of Criminal Appeals by Order dated March 21, 1973, reported Suits v. State, 507 P.2d 1260 (Okla. 1973), and the cause was dismissed without prejudice by December 12, 1973, Order of the Tulsa County District Court.

Petitioner first asserts in his present petition that in connection with his direct appeal he sent petitions in November, 1970; January, 1971; February, March, June and September, 1973, to the Oklahoma Court of Criminal Appeals and the Tulsa County District Court alleging incompetent counsel on appeal; that the appeals were a farce, misleading and intended to do him harm; and, that in spite thereof, the Oklahoma Court of Criminal Appeals ruled on the appeals without appointing him another attorney to aid him in preparing a proper and complete appeal. Thereby, he claims that A-16,689 was illegally reversed, and that A-16,696 was illegally sustained. These pro se matters were not covered in the appellate Court decisions, and the petitioner makes no showing that he has fairly presented such issues to the State Courts pursuant to the Oklahoma post-conviction procedure act, 22 O.S.A. § 1080 et seq. Therefore, there is no showing that his adequate and available State remedies have been exhausted thereon.

Petitioner further asserts that he sent to the Tulsa County District Court a petition for writ of habeas corpus on June 25, 1973, moving parties involved in the cases to disqualify on grounds of prejudice and to impound all records as material evidence and for a full evidentiary hearing due to the nature of the allegations. Also, that he sent to the Oklahoma Court of Criminal Appeals a writ of mandamus on September 1, 1973, moving said Court to enforce his habeas corpus with a mandate. Petitioner by his own admissions has wholly failed to assert grounds in said petitions to invoke the Oklahoma habeas corpus statutes, 12 O.S.A. § 1331, et seq., and said issues may properly be pursued in a State post-conviction proceeding. There is no showing that they have been fairly presented to the State Courts in such way, therefore, adequate and available State remedies have not been exhausted thereon.

He to this Court asserts that the Tulsa County District Court and Oklahoma Court of Criminal Appeals have failed to recognize his petitions in any way whatsoever and that he is thereby being denied his constitutional rights in that the State of Oklahoma by malfeasance is denying him the right to exhaust his State remedies. He further states that since this issue is the cause of his present petition it has not been presented

to any other Court. It is true that a showing that State remedies are ineffective or unavailable is a § 2254 statutory ground for a Federal habeas corpus petition, but petitioner fails to show that 22 O.S.A. §§ 1080-1087 and 12 O.S.A. §§ 1331-1355 are ineffective or that relief thereunder is unavailable if he fairly presents allegations invoking relief pursuant to such statutes to the State Courts. Therefore, the Court finds that said State Statutes provide adequate, effective and available remedies that are open to the petitioner which he has not exhausted, and his petition to this Court on these matters is premature. Picard v. Connor, 404 U. S. 270 (1971); Hoggatt v. Page, 432 F.2d 41 (10th Cir. 1970).

Lastly, in the petition under consideration, petitioner names numerous State Judges, prosecutors, attorneys, employees, physicians, etc., and lists 28 charges, many of them duplications of one another, which the Court finds to be bald, conclusory claims, unsupported and unsubstantiated by allegation of fact that would enable the Court to determine whether possible grounds for relief do exist. Where, in a collateral attack on a criminal judgment, the Court has nothing but generalities and conclusions, without factual basis in support thereof, a petition is insufficient to entitle petitioner to an evidentiary hearing, and the petition may be denied without prejudice. Martinez v. United States, 344 F.2d 325 (10th Cir. 1965); Stephens v. United States, 246 F.2d 607 (10th Cir. 1957); Atkins v. State of Kansas, 386 F.2d 819 (10th Cir. 1967); Lorraine v. United States, 444 F.2d 1 (10th Cir. 1971).

After repeated readings of the petition and other instruments filed herein, and eight letters received from the petitioner, the last such letter received March 28, 1974, the Court determines and finds that effective and available State remedies having not been properly invoked are not exhausted; that the petitioner's bald, conclusory assertions are generalities unsupported by factual allegations to determine whether possible grounds for relief exist; that although the matter has not moved as speedily as is desired in such proceedings, all possible haste has been observed considering the difficulty in analyzing the instruments presented to the

Court; that a present mental competency examination would not be of probative value regarding petitioner's condition on the date in issue; that an attorney to represent petitioner is not at this time required; and, therefore all instruments filed by the petitioner should be overruled and the cause at this time, without prejudice, denied and dismissed.

IT IS, THEREFORE, ORDERED that the instruments filed by petitioner herein be and they are hereby overruled and the petition for writ of habeas corpus of Joseph A. Suits be and it is hereby denied and dismissed without prejudice.

Dated this 29th day of March, 1974, at Tulsa, Oklahoma.



CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ROGER M. WHEELER,
Plaintiff,
vs.
TEXACO INC., a corporation,
Defendant.

No. 72-C-93

FILED

MAR 29 1974 *E*

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT

This action, by agreement, has been presented to the Court for decision on Stipulation of Facts with exhibits and affidavits attached, the Honorable Allen E. Barrow, Chief U. S. District Judge presiding.

The Court, having carefully considered the Stipulation, exhibits, affidavits, briefs and having carefully perused the entire file, makes the Findings of Fact and Conclusions of Law filed and entered on March 27, 1974. The Court FINDS in favor of the defendant TEXACO INC. and against the plaintiff ROGER M. WHEELER.

It is ORDERED and ADJUDGED that the plaintiff, ROGER M. WHEELER is entitled to recover nothing from the defendant TEXACO INC. herein by reason of the claim asserted in his complaint.

It is ORDERED that the requirements of the second sentence of Conclusions of Law, No. 10 has been satisfied by the prior placement of Texaco's check payable to plaintiff in the amount of \$3,183.67 in the hands of Mr. Wheeler's attorney of record.

It is further ORDERED that defendant TEXACO INC. recover its costs herein expended.

ENTERED this 29 day of March, 1974.

Allen E. Barrow
Chief United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

LEWIS AARON BOWEN,)
)
Petitioner,)
)
-vs-)
)
TULSA COUNTY, State of)
Oklahoma, et al.,)
)
Respondents.)

Case No. 72-C-389 ✓

E I L E D

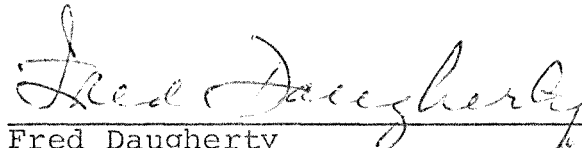
MAR 27 1974 J.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

O R D E R

Upon consideration of Petitioner's Petition For Writ Of Habeas Corpus, the decision and mandate of the United States Court of Appeals for the Tenth Circuit filed herein on January 11, 1974 and the Supplemental Response of the Respondents filed herein on March 22, 1974, the Court finds that the conviction and sentence of Petitioner attacked herein as being unconstitutionally obtained by the State of Oklahoma should for such reason be set aside and vacated and Petitioner afforded a new trial on the charge within a reasonable time from this date or else, on application of Petitioner, the Petition For Writ Of Habeas Corpus will be issued herein and Petitioner released from custody.

It is so ordered this 27th day of March, 1974.


Fred Daugherty
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ANNIE LOU SANDERS, WILL SANDERS,
and INEZ SANDERS, Individually and
as the heirs at law of Donald Lee
Sanders, Deceased,

Plaintiffs,

vs.

RICK NOLAN

and

THE CITY OF TULSA, OKLAHOMA,
a municipal corporation,

Defendants.

No. 72-C-441✓

FILED

MAR 25 1974 ✓

Jack C. Silver, Clerk
U. S. DISTRICT COURT

O R D E R

Plaintiff has moved, pursuant to Rules 59(e) and 60(b) Federal Rules of Civil Procedure that the Court amend its Order of Dismissal filed December 19, 1973, to reflect such dismissal to be against the defendant, City of Tulsa, only.

The Court, having carefully reviewed the entire file, including the briefs, finds and concludes that the Order of Dismissal entered herein on December 19, 1973, should be amended, and the same is hereby amended to read as follows:

"IT IS THE ORDER OF THE COURT that the plaintiffs' cause of action against the City of Tulsa, Oklahoma, a municipal corporation, should be, and hereby is dismissed, and this dismissal shall apply to the City of Tulsa, Oklahoma, a municipal corporation, only."

IT IS SO ORDERED.

Dated this 22nd day of March, 1974.

Luther Bohannon
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

BOARD OF TRUSTEES, PIPELINE)
INDUSTRY BENEFIT FUND,)

Plaintiff,)

vs.)

No. 74 C 121

TOKA CONSTRUCTION COMPANY,)
INC.,)

Defendant.)

FILED

MAR 25 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

NOW on this 25TH day of March, 19 74, Plaintiff's Motion

For Dismissal coming on for consideration and counsel for Plaintiff herein
representing and stating that all issues, controversies, debts and liabilities
between the parties have been paid, settled and compromised,

IT IS THE ORDER OF THIS COURT That said action be, and the same
is, hereby dismissed with prejudice to the bringing of another of future
action by the Plaintiff herein.

5/ Fred Daugherty
District Judge

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Y

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LA JUANNA DEFFEBBAUGH,

Defendant.

FILED

MAR 25 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Civil Action No. 73-C-406

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 25 day
of March, 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, the defendant, La Juanna
Deffebaugh, appearing not.

The Court being fully advised and having examined the
file herein finds that La Juanna Deffebaugh was served with
Summons and Complaint on January 29, 1974, as appears from the
Marshals Return of Service herein.

It appearing that La Juanna Deffebaugh has failed to
answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property mortgage
securing said mortgage note and that the following described real
property is located in Tulsa County, Oklahoma, within the Northern
Judicial District of Oklahoma:

Lot Eight (8), Block Five (5), VALLEY VIEW
ACRES ADDITION, to the City of Tulsa, Tulsa
County, State of Oklahoma, according to the
recorded Plat thereof.

THAT the defendant La Juanna Deffebaugh, did, on the
8th day of November, 1972, execute and deliver to the Administrator

of Veterans Affairs, her mortgage and mortgage note in the sum of \$9,750.00, with 4 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

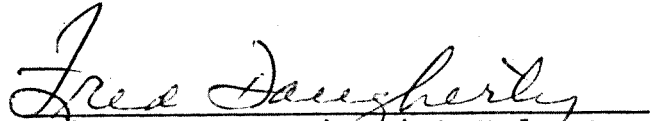
The Court further finds that the defendant La Juanna Deffebaugh, made default under the terms of the aforesaid mortgage note by reason of her failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendant is now indebted to the plaintiff in the sum of \$9,780.00 as unpaid principal, with interest thereon at the rate of 4 1/2 percent interest per annum from January 1, 1973, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover judgment against defendant La Juanna Deffebaugh, in personam, for the sum of \$9,780.00 with interest thereon at the rate of 4 1/2 percent interest per annum from January 1, 1973, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

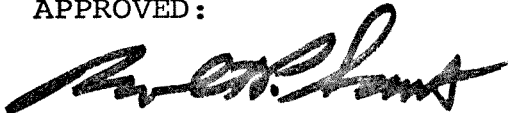
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of

this judgment and decree, the defendant and any person claiming under her since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED:



ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Plaintiff, United
States of America

FILED

MAR 25 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
) Plaintiff,)
vs.) CIVIL ACTION NO. 74-C-46
)
)
ROGER G. BAKER, et al.,)
)
) Defendants.)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 25TH
day of March, 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Roger G.
Baker, Diane Baker, County Treasurer, Rogers County, and Board
of County Commissioners, Rogers County, appearing not.

The Court being fully advised and having examined
the file herein finds that Roger G. Baker, Diane Baker, County
Treasurer, Rogers County, and Board of County Commissioners,
Rogers County, were served with Summons and Complaint on
February 11, 1974, all as appears from the Marshal's Return
of Service herein.

It appearing that the said defendants have failed
to answer herein and that default has been entered by the
Clerk of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property mortgage
securing said mortgage note and that the following described
real property is located in Rogers County, Oklahoma, within
the Northern Judicial District of Oklahoma:

Lot Four (4), in Block Five (5), of
WESTGATE MANOR ADDITION to the City
of Claremore, Rogers County, Oklahoma,
according to the recorded plat thereof.

THAT the defendants, Roger G. Baker and Diane Baker,
did, on the 13th day of July, 1971, execute and deliver to the
Mager Mortgage Company their mortgage and mortgage note in
the sum of \$17,800.00 with 7 percent interest per annum, and

further providing for the payment of monthly installments of principal and interest.

That by Assignment of Mortgage of Real Estate filed July 19, 1971, the Mager Mortgage Company assigned said note and mortgage to the Federal National Mortgage Association; and that by Assignment of Mortgage of Real Estate filed October 18, 1972, the Federal National Mortgage Association assigned said note and mortgage to the Secretary of Housing and Urban Development, Washington, D.C.

The Court further finds that the defendants, Roger G. Baker and Diane Baker, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$17,648.90 as unpaid principal, with interest thereon at the rate of 7 percent interest per annum from March 1, 1973, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Rogers, State of Oklahoma, from Roger G. Baker and Diane Baker, the sum of \$618.49 for ad valorem taxes for the years 1972 and 1973 and that Rogers County should have judgment for said amount.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Roger G. Baker and Diane Baker, in personam, for the sum of \$17,648.90 with interest thereon at the rate of 7 percent per annum from March 1, 1973, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County of Rogers have and recover judgment against the defendants,

Roger G. Baker and Diane Baker, for the sum of \$618.49 as of the date of this judgment plus interest thereafter according to law, and that such judgment is superior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment, which sale shall be subject to the tax judgment of Rogers County, supra. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

5/ Fred Daugherty
United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CECIL L. BAINES and
JOYCE J. BAINES, individually
and as co-partners, dba NU-BREED,

Defendants.)

FILED

MAR 22 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Civil Action No. 74-C-91

JUDGMENT OF FORECLOSURE

NOW on this 22nd day of March, 1974, this matter coming on for consideration, the plaintiff, United States of America, appearing by and through its attorney, Robert P. Santee, Assistant United States Attorney for the Northern District of Oklahoma; and the defendants, Cecil L. Baines and Joyce J. Baines, individually and as co-partners dba Nu-Breed, appearing not; and it appearing that this is a suit based upon a Promissory Note and for foreclosure of certain Financing Statements, Security Agreement and Supplemental Security Agreement securing said Note; and

It further appearing that the chattels described in said Financing Statements, Security Agreement, and Supplemental Security Agreement are located in Tulsa County, Oklahoma, and

It further appearing that due and legal personal service of summons was made upon the defendants, Cecil L. Baines and Joyce J. Baines, on February 12, 1974, requiring each of them to answer the Complaint herein, and that more than twenty (20) days have elapsed since the date of service of the summons, and it appearing that said defendants have failed to file an answer or otherwise plead herein and that they, and each of them, are hereby in default.

The Court, being fully advised, finds that the allegations and averments in the Complaint are true and correct and that there is due and owing to the plaintiff, United States of America, the sum \$4,865.00, with interest accrued thereon in the sum of \$188.92, through November 7, 1973, and interest accruing thereafter at the rate of \$.8108 per day.

The Court further finds that the plaintiff has a first and prior lien upon the chattels described in the Security Agreement, Supplemental Security Agreement, and Financing Statements by virtue of said Security Agreement, Supplement Security Agreement, and Financing Statements given covering such personal property.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT the plaintiff, United States of America, have and recover from the defendants, Cecil L. Baines and Joyce J. Baines, individually and as co-partners, dba Nu-Breed, a judgment in the sum of \$4,865.00, interest accrued thereon in the sum of \$188.92, through November 7, 1973, and interest accruing thereafter at the rate of \$.8108 per day.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT upon the failure of the defendants, Cecil L. Baines and Joyce J. Baines, individually and as co-partners, dba Nu-Breed, to satisfy the judgment of plaintiff, an Order of Sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon, advertise and sell according to law, with appraisement, the chattels hereinabove described and as listed in the Security Agreement, Supplemental Security Agreement, and Financing Statements hereinabove referred to, and to apply the proceeds of such sale of personal property as follows:

1. In payment of the costs of the sale and of the cost of this action.
2. In payment to plaintiff of the sum of \$4,865.00, with interest accrued thereon in the sum of \$188.92, through November 7, 1973, and interest accruing thereafter at the rate of \$.8108 per day.
3. The residue, if any, to be paid to the Clerk of this Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the hereinabove described chattels and as listed in the Security Agreement,

Supplemental Security Agreement, and Financing Statements hereinabove referred to, be sold, with appraisement, and after such sale by virtue of this judgment and decree, the defendants, and each of them, and all persons claiming under them since the filing of the Complaint herein, be and they are forever barred and foreclosed of and from any and every lien upon, right, title, interest, estate or equity of, in or to the personal property hereinabove referred to.

J. Fred. Dougherty

United States District Judge

APPROVED:

Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

WILLIAMS BROTHERS COMPANY,)
)
Plaintiff,)
)
vs.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)

Civil No. 71-C-220 ✓

FILED

MAR 22 1974 ✓

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

The Court has for consideration the Stipulation
of Dismissal signed by all parties to this litigation, and
being fully advised in the premises, finds:

That said cause of action and complaint should be
dismissed with prejudice, each party to bear its own costs.

IT IS THEREFORE ORDERED that the cause of action and
complaint be and the same is hereby dismissed.

ENTERED this 22ND day of March, 1974.

Allen E. Bannan
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 22 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JIMMY D. CARNER, et al.,)
)
Defendants.)

CIVIL ACTION NO. 74-C-25

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 21ST day of March, 1974, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney; the defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, appearing by their attorney, Gary J. Summerfield, Assistant District Attorney of District 14, Tulsa County, Oklahoma, and the defendants, Jimmy D. Carner and Anita Carner, appearing not.

The Court being fully advised and having examined the file herein finds that summons and complaint were served on the defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, on January 16, 1974, and on the defendants, Jimmy D. Carner and Anita Carner, on January 17, 1974, as appears from the Marshal's Returns of Service herein, and

It appearing that defendants, Jimmy D. Carner and Anita Carner, have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot One (1) in Block Eight (8), NORTHGATE THIRD
ADDITION to the City of Tulsa, Tulsa County,
Oklahoma, according to the recorded plat thereof.

THAT the defendants, Jimmy D. Carner and Anita Carner, did, on the 19th day of October, 1970, execute and deliver to Diversified Mortgage & Investment Company their mortgage and mortgage note in the sum of \$16,700.00 with 8 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

THAT by Assignment of Mortgage of Real Estate dated November 2, 1970, Diversified Mortgage and Investment Company assigned said Note and Mortgage to Federal National Mortgage Association, and that by Assignment dated January 24, 1973, Federal National Mortgage Association assigned said Note and Mortgage to the Secretary of Housing and Urban Development, Washington, D. C.

The Court further finds that the defendants, Jimmy D. Carner and Anita Carner, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$16,447.96 as unpaid principal, with interest thereon at the rate of 8 1/2 percent interest per annum from March 1, 1973, until paid, plus any additional sums advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, and sums for the preservation of subject property, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Tulsa, State of Oklahoma, from the defendants, Jimmy D. Carner and Anita Carner, the following taxes:

1971 Personal Property Tax Item #070450	\$ 18.00
1972 Personal Property Tax Item #073475	30.94
1973 Real Estate Tax Item #R596665	<u>266.91</u>
Total	\$315.85

and that Tulsa County, Oklahoma, should have judgment for the amount of \$266.91 for 1973 real estate tax now owing, plus interest according to law, and that such judgment is superior to the first mortgage lien of this plaintiff.

The Court further finds that the County of Tulsa, Oklahoma, should have judgment against the defendants, Jimmy D. Carner and Anita Carner, for the sum of \$48.94 for 1971 and 1972 personal property taxes but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Jimmy D. Carner and Anita Carner, in personam, for the sum of \$16,447.96 with interest thereon at the rate of 8 1/2 percent interest per annum from March 1, 1973, plus any additional sums advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property, plus the cost of this action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT Tulsa County, Oklahoma, have and recover judgment against the defendants, Jimmy D. Carner and Anita Carner, in personam, for 1973 real estate taxes in the amount of \$266.85, plus interest according to law, and that such judgment be and is superior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT Tulsa County, Oklahoma, have and recover judgment against the defendants, Jimmy D. Carner and Anita Carner, for 1971 and 1972 personal property taxes in the amount of \$48.94, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

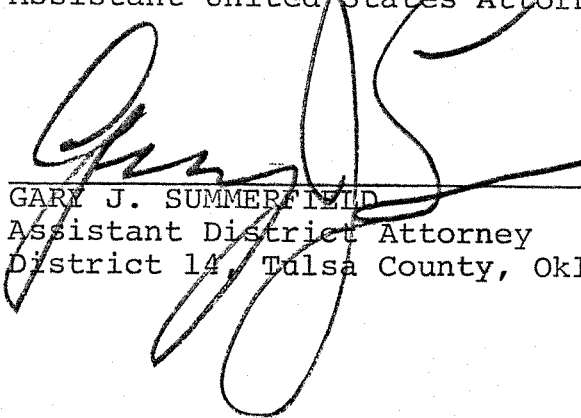
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment, which sale shall be subject to the 1973 real estate taxes in the amount of \$266.85, plus interest according to law. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

s/ Luther Bohanon
United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney


GARY J. SUMMERFIELD
Assistant District Attorney
District 14, Tulsa County, Okla.

There is a complete absence of merit in the application. The matters presented are not subject to collateral review. A motion pursuant to Section 2255 is not a substitute for appeal. Carillo v. United States, 352 F.2d 202 (CA10 1964). Its scope is limited to matters which may be raised by collateral attack. United

States v. Kelly, 269 F.2d 448 (CA10 1959). It is the general rule that the sufficiency of an indictment cannot be challenged in a collateral proceeding. Barnes v. Hunter, 188 F.2d 86 (CA10 1951). See also Payton v. United States, 436 F.2d 575 (CA10 1970). Likewise variance between allegations of an indictment and proof is a matter of error reviewable on direct appeal only and may not be raised in a subsequent motion to vacate sentence under Section 2255. Bram v. United States, 302 F.2d 58 (CA8 1962).

The petitioner argues that the indictment is deficient because it did not allege the acts were done "unlawfully". Since the statute describing the offense, 26 U.S.C.A. § 4704(a), does not use that word as an essential element of the offense it was not necessary to include it in the allegations of the indictment. Hickman v. United States, 170 F.2d 353 (CA5 1948). Petitioner suggests it was necessary because the statute provides exceptions which may have rendered his acts lawful. However, it is well established that an indictment need not negative statutory exceptions. McKelvey v. United States, 260 U.S. 353, 43 S.Ct. 132, 67 L.Ed. 30 (1922). If petitioner believed that he came within any exception it was incumbent upon him to say so. Tritt v. United States, 421 F. 2d 928 (CA10 1967). In this collateral proceeding we certainly cannot say that the indictment fails under any reasonable construction to charge the offense for which sentence was imposed. Byers v. United States, 175 F.2d 654 (CA10 1949). See also Marteney v. United States, 216 F.2d 760 (CA10 1954). Nor can we say that this indictment attempts to charge a non-existent federal offense nor that it affirmatively appears on its face that no federal offense was committed, as would be necessary to entitle the petitioner to relief herein. Barnes v. Hunter, supra. See also Kreuter v. United States, 201 F. 2d 33 (CA10 1952) and Smith v. United States, 205 F.2d 768 (CA10 1953). "Given a practical common sense construction" the indictment here meets the test of sufficiency on a Section 2255 Motion as it "can reasonably be said to inform the defendant of the

charge against him, so that he can prepare his defense thereto and plead the judgment as a bar to further proceedings against him for the same offense." Martin v. United States, 285 F.2d 151 (CA10 1962). We conclude, as did the court in Charley v. United States, 303 F.2d 512, 513 (CA10 1962):

"And, where, as here, the trial court has jurisdiction of the offense and the accused, and the indictment apparently attempts to charge that offense, the sufficiency of the indictment is not subject to collateral attack by a motion under Section 2255."

There was, in fact, no variance as claimed by the petitioner. He assumes that proof of purchase and possession excludes any finding of dispensing and distributing. Obviously, however, acquisition by purchase or otherwise and possession are necessary prerequisites to dispensing and distributing. The evidence is uncontroverted that petitioner did distribute heroin to Agent Brown. The only issue at trial was whether he was entrapped. The proof may have exceeded the requirements of the indictment, but it was in no way inconsistent with or contrary to the allegations of the pleading. Further, if variance did appear the petitioner would have to establish prejudice by demonstrating surprise by the evidence offered at the trial or that he would not be protected against another prosecution for the same offense. See Berger v. United States, 295 U.S. 78 (1935). This he cannot do.

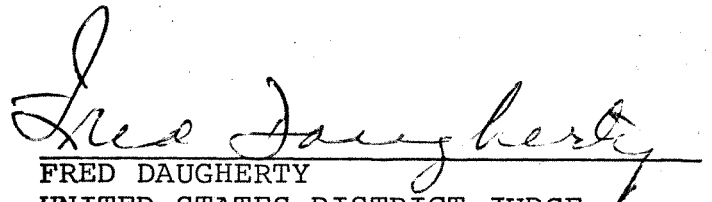
There are no factual issues raised by petitioner's application for relief. The files and records in Case No. 70-CR-52 examined by the court conclusively show that the petitioner is not entitled to relief. Therefore, there is no necessity for this court to hold an evidentiary hearing. Semet v. United States, 369 F.2d 90 (CA10 1966).

Since the application to proceed in forma pauperis is supported by papers satisfying the requirements of 28 U.S.C.A. § 1915(a) leave to proceed in forma pauperis is granted and the clerk is directed to file the case. The action will then be

dismissed.

IT IS SO ORDERED.

Dated this 22 day of March, 1974.


FRED DAUGHERTY
UNITED STATES DISTRICT JUDGE

UNITED STATES OF AMERICA,
Plaintiff,
vs.
EDGAR E. REECE, et al.,
Defendants

CIVIL ACTION NO. 73-C-218

FILED

MAR 22 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

THIS MATTER COMES on for consideration this 22nd

day of March, 1974, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney; the defendant, Dial Finance Company of Tulsa No. 1, Inc., appearing by its attorney, Irvine E. Ungerman; the defendant, Harvey F. Allen, Attorney at Law, appearing pro se; the defendants, County Treasurer, Tulsa County, and Board of County Commissioners, Tulsa County, appearing by Gary J. Summerfield, Assistant District Attorney; and the defendants, Edgar E. Reece, Rubye Mae Reece, and Robert J. Stubblefield appearing not.

The Court being fully advised and having examined the file herein finds that Edgar E. Reece and Rubye Mae Reece were served by publication, as appears from the Proof of Publication filed herein; that Dial Finance Company of Tulsa No. 1, Inc., was served with Summons, Complaint, and Amendment to Complaint on July 24, 1973, and October 5, 1973, respectively; that Harvey F. Allen was served with Summons, Complaint, and Amendment to Complaint on July 24, 1973, and October 4, 1973, respectively; that Robert J. Stubblefield was served with Summons, Complaint, and Amendment to Complaint on October 15, 1973; and that County Treasurer, Tulsa County, and Board of County Commissioners, Tulsa County, were served with Summons, Complaint, and Amendment to Complaint on October 4, 1973.

It appearing that Dial Finance Company of Tulsa No. 1, Inc., has duly filed its Disclaimer on October 12, 1973; that Harvey F. Allen has duly filed his Disclaimer on July 26, 1973;

that County Treasurer, Tulsa County, and Board of County Commissioners, Tulsa County, have duly filed their Answers on October 15, 1973; and that Edgar E. Reece, Rubye Mae Reece, and Robert J. Stubblefield have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Twenty (20), Block Twenty-three (23),
Amended Plat of NORTHRIDGE SECOND ADDITION
to the City of Tulsa, Tulsa County, State
of Oklahoma, according to the recorded
plat thereof.

THAT the defendant, Edgar E. Reece, did, on the 29th day of March, 1971, execute and deliver to the Administrator of Veterans Affairs, his mortgage and mortgage note in the sum of \$13,750.00 with 7 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendant, Edgar E. Reece, made default under the terms of the aforesaid mortgage note by reason of his failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendant is now indebted to the plaintiff in the sum of \$13,783.10 as unpaid principal, with interest thereon at the rate of 7 1/2 percent interest per annum from July 1, 1972, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Tulsa, State of Oklahoma, from Edgar E. Reece, the sum of \$13.29 for personal property taxes for the year 1972 and that Tulsa County should have judgment, in rem, for said amount, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendant, Edgar E. Reece, in rem, for the sum of \$13,783.10 with interest thereon at the rate of 7 1/2 percent per annum from July 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County of Tulsa have and recover judgment, in rem, against the defendant, Edgar E. Reece, for the sum of \$13.29 as of the date of this judgment plus interest thereafter according to law, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, Rubye Mae Reece and Robert J. Stubblefield.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendant to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

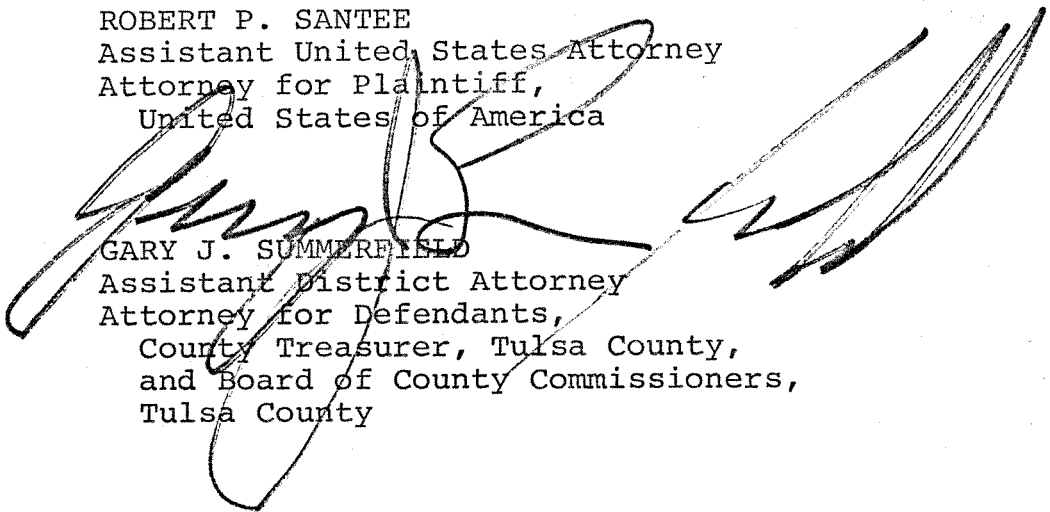
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Plaintiff,
United States of America



GARY J. SUMMERFIELD
Assistant District Attorney
Attorney for Defendants,
County Treasurer, Tulsa County,
and Board of County Commissioners,
Tulsa County

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Zestee Foods, Incorporated,)

Plaintiff,)

vs.)

United States Fidelity and)
Guaranty Company, a corporation,)

Defendant)
and)

Third Party Plaintiff,)

vs.)

Jerry Wilkes,)

Third Party Defendant.)

No. 73-C-15

FILED
MAR 21 1974
Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER

This cause comes on to be considered on the Motion of Plaintiff to Dismiss the action on the merits and the Court having considered said motion and the records on file in this cause, IT IS ORDERED that this cause be and the same is hereby dismissed on the merits and with prejudice to a future action.

DATED this 15 day of March, 1974.

Luther Bohanon
LUTHER BOHANON, United States
District Judge

APPROVED:

Jay C. Baker
JAY C. BAKER

Attorney for Plaintiff

Edgar Fenton

EDGAR FENTON

Attorney for Defendant and
Third Party Plaintiff

Robert J. Turner

ROBERT J. TURNER

Attorney for Third Party
Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 21 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO. 73-C-292
vs.)	
)	Tract No. 311ME
9.00 Acres of Land, More or)	
Less, Situate in Rogers)	(All interest)
County, State of Oklahoma,)	
and Bucky Willis, et al.,)	
and Unknown Owners,)	
)	
Defendants.)	

J U D G M E N T

1.

NOW, on this 21 day of March, 1974, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment fixing just compensation in this matter. After having examined the files in this action and being advised by counsel, the Court finds:

2.

This judgment applies to the entire estate condemned in Tract No. 311ME, as such estate and tract are described in the Complaint filed in this action.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject property.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the property described above in paragraph 2. Pursuant thereto, on September 4, 1973, the United States of America filed its Declaration of

Taking of such property, and title thereto should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the estate taken in the subject tract a certain sum of money, and none of this deposit has been disbursed, as set out below in paragraph 13.

7.

A pre-trial hearing in this case was set by the Court for December 13, 1973. Due notice of such hearing was given to all of the parties. The Plaintiff, United States of America, appeared at such hearing by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. The owners of the subject property did not appear either in person or by counsel.

8.

At the said pre-trial conference the Plaintiff advised the Court that in the event of a trial its evidence as to compensation would be presented by testimony of Gordon Romine, and would be in the amount of \$45.00. Subsequent to the said pre-trial conference, the owners of subject property advised the Court that in the event of trial their evidence as to compensation would be presented by their own testimony, and would be in the amount of \$5,000.00. Neither party has requested a trial. Based upon the statements of the parties, the Court concludes that a trial is not necessary or advisable and that the sum of \$200.00 should be adopted as the award of just compensation for the subject property.

9.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract and the amount fixed by the Court as just compensation, and a sum of money sufficient to cover such

deficiency should be deposited by the Government. This deficiency is set out below in paragraph 13.

10.

The defendants named in paragraph 13 as the owners of the estate taken in the subject tract are the only defendants asserting any interest in such property. All other defendants having either disclaimed or defaulted, the named defendants are the owners of such property, as of the date of taking and, as such, are entitled to receive the just compensation awarded by this judgment.

11.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint, is condemned, and title thereto is vested in the United States of America, as of September 4, 1973, and all defendants herein and all other persons are forever barred from asserting any claim to such property.

12.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 13 and the right to receive the just compensation awarded by this judgment is vested in the parties so named.

13.

It Is Further ORDERED, ADJUDGED and DECREED that the sum of \$200.00 hereby is adopted as the award of just compensation for the estate taken in subject tract, as shown by the following schedule:

TRACT NO. 311ME

OWNERS: Bucky Willis and Andrea Louise Willis

Award of just compensation pursuant to Court's findings -----	\$200.00	\$200.00
Deposited as estimated compensation ----	45.00	
Disbursed to owners -----		<u>None</u>
Balance due to owners -----		\$200.00
Deposit deficiency -----	\$155.00	

14.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency shown in paragraph 13 above, in the total amount of \$155.00, and such sum shall be placed in the deposit for the subject tract in this civil action.

Upon receipt of such deficiency deposit the Clerk of this Court shall disburse the deposit for the subject tract as follows:

To - Bucky Willis and Andrea Louise
Willis, jointly, the sum of ----- \$200.00.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 21 1974 *E.*

Jack C. Silver, Clerk
U. S. DISTRICT COURT

PETER J. BRENNAN, Secretary of Labor,)
United States Department of Labor,)
Plaintiff)
v.)
STEMMONS, INC., doing business as)
THRIFTY RENT-A-CAR)
Defendant)

Civil Action

No. 73-C-298 ✓

ORDER OF DISMISSAL

This cause came on for consideration upon the stipulation of the parties and it appearing that the defendant has promised plaintiff and this Court that it will comply with the applicable provisions of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and the Court being otherwise fully advised in the premises, it is,

ORDERED, ADJUDGED AND DECREED that this ^{*cause and complaint*} action ^{*be*}, and the same hereby is, dismissed at defendant's costs.

Dated this 21 day of March, 1974.

Allen E. Brown
United States District Judge

Approved as to form and substance:

Herbert de Leon
Attorney for Plaintiff

STEMMONS, INC.
Defendant

By: *W. F. Stemmons, President*
W. F. STEMMONS, PRESIDENT

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 20 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA and
ANNETTE BOWIE, an officer
of the Internal Revenue Service,

Petitioners,

vs.

THEODORE W. DARDENNE,

Respondent.

Civil No. 74-C-86

ORDER DISCHARGING RESPONDENT
AND DISMISSAL

On this 20 day of March 1974, Petitioners' Motion To Discharge Respondent And For Dismissal came for hearing and the Court finds that Respondent has now complied with the Internal Revenue Service Summons served upon him September 9, 1973, that further proceedings herein are unnecessary and that the Respondent, THEODORE W. DARDENNE, should be discharged and this action dismissed upon payment of \$47.12 costs by Respondent.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COURT that the Respondent, THEODORE W. DARDENNE be and he is hereby discharged from any further proceedings herein and this action is hereby dismissed upon payment of \$47.12 costs by said Respondent.

Fred Daugherty

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Jack M. Short

JACK M. SHORT
Assistant United States Attorney

FILED

MAR 19 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.) CIVIL ACTION NO. 73-C-220
)
)
JOHNNY R. McCURLEY a/k/a)
JOHNNY RAY McCURLEY, et al.,)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 18th
day of March, 1974, the plaintiff appearing by Robert P.
Santee, Assistant United States Attorney, the defendant, Donna J.
McCurley a/k/a Donna Jean McCurley, appearing by her attorney,
Bruce W. Robinett, and the defendants, Johnny R. McCurley a/k/a
Johnny Ray McCurley, Allan E. Bryan, Carolyn S. Bryan, Beneficial
Finance Company, and Interstate Securities Company, appearing
not.

The Court being fully advised and having examined
the file herein finds that Johnny R. McCurley was served with
Summons, Complaint, and Amendment to Complaint on December 11,
1973, and September 20, 1973, respectively; that Donna J. McCurley
was served with Summons, Complaint, and Amendment to Complaint
on December 3, 1973, and August 17, 1973, respectively; that
Allan E. Bryan and Carolyn S. Bryan were served with Summons,
Complaint, and Amendment to Complaint on July 25, 1973, and
August 30, 1973, respectively; that Beneficial Finance Company
was served with Summons, Complaint, and Amendment to Complaint
on August 14, 1973, and that Interstate Securities Company was
served with Summons, Complaint, and Amendment to Complaint on
August 20, 1973, all as appears from the Marshal's Return of
Service herein.

It appearing that Donna J. McCurley has duly filed
her Answer herein on September 10, 1973, and that Johnny R.
McCurley, Allan E. Bryan, Carolyn S. Bryan, Beneficial Finance

Company, and Interstate Securities Company have failed to answer herein and that default has been entered by this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Washington County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot One (1), Block One (1), LEONA HEIGHTS
ADDITION to Dewey, Washington County, State
of Oklahoma, according to the recorded plat
thereof.

THAT the defendants, Johnny R. McCurley and Donna J. McCurley, did, on the 31st day of May, 1967, execute and deliver to Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$8,500.00 with 6 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendants, Allan E. Bryan and Carolyn S. Bryan, were the grantees in a deed from Johnny R. McCurley and Donna J. McCurley, dated November 1, 1971, and filed November 8, 1971, in Book 583, Page 486, records of Washington County, wherein Allan E. Bryan and Carolyn S. Bryan assumed and agreed to pay the mortgage indebtedness being sued upon herein.

The Court further finds that the defendants, Johnny R. McCurley, Donna J. McCurley, Allan E. Bryan, and Carolyn S. Bryan, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$8,113.80 as unpaid principal, with interest thereon at the rate of 6 percent interest per annum from July 1, 1972, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Allan E. Bryan and Carolyn S. Bryan, in personam, for the

sum of \$8,113.80 with interest thereon at the rate of 6 percent interest per annum from July 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, Johnny R. McCurley a/k/a Johnny Ray McCurley, Donna J. McCurley a/k/a Donna Jean McCurley, Beneficial Finance Company, and Interstate Securities Company.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

/s/ Luther Bohanon
United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Plaintiff,
United States of America



BRUCE W. ROBINETT
Attorney for Defendant,
Donna J. McCurley

FILED
MAR 19 1974

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.) CIVIL ACTION NO. 73-C-355
)
)
RICHARD C. McDONALD, et al.,)
)
Defendants.)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 18th
day of March, 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, the defendant, Jon D. Douthitt,
Attorney at Law, appearing pro se, and the defendants, Richard C.
McDonald, Margaret A. McDonald, Richard L. Heiligman, Roy McClain
d/b/a McClain Standard Station, W. C. Roof, if living, or if not,
his unknown heirs, assigns, executors, and administrators, Rogers
County Bank of Claremore, County Treasurer, Rogers County, and
Board of County Commissioners, Rogers County, appearing not.

The Court being fully advised and having examined
the file herein finds that Richard C. McDonald, Margaret A.
McDonald, and W. C. Roof, if living, or if not, his unknown
heirs, assigns, executors, and administrators, were served by
publication, as appears from the Proof of Publication filed
herein; that Richard L. Heiligman, Roy McClain, Rogers County
Bank of Claremore, Jon D. Douthitt, County Treasurer, Rogers
County, and Board of County Commissioners, Rogers County, were
served with Summons and Complaint on November 7, 1973, all as
appears from the Marshal's Return of Service herein.

It appearing that Jon D. Douthitt has duly filed his
Disclaimer herein on November 9, 1973; that Richard C. McDonald,
Margaret A. McDonald, Richard L. Heiligman, Roy McClain, W. C.
Roof, if living, or if not, his unknown heirs, assigns, executors,
and administrators, Rogers County Bank of Claremore, County
Treasurer, Rogers County, and Board of County Commissioners,
Rogers County, have failed to answer herein and that default

has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Rogers County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Ten (10), Block Three (3), MEADOW VIEW
ADDITION to the City of Claremore, County
of Rogers, State of Oklahoma, according to
the recorded plat thereof.

THAT the defendants, Richard C. McDonald and Margaret A. McDonald, did, on the 22nd day of May, 1970, execute and deliver to the Mercury Mortgage Co., Inc., their mortgage and mortgage note in the sum of \$17,950.00 with 8 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

THAT by Assignment of Mortgage of Real Estate dated May 27, 1970, the Mercury Mortgage Co., Inc., assigned said note and mortgage to the First Federal Savings and Loan Association of Gary; and that by Assignment of Mortgage of Real Estate filed September 8, 1972, the First Federal Savings and Loan Association of Gary assigned said note and mortgage to the Secretary of Housing and Urban Development, Washington, D.C.

The Court further finds that the defendants, Richard C. McDonald and Margaret A. McDonald, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$17,704.24 as unpaid principal, with interest thereon at the rate of 8 1/2 percent interest per annum from March 1, 1972, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Rogers, State of Oklahoma, from Richard C. McDonald and Margaret A. McDonald, the sum of \$537.29 for ad valorem taxes for the years 1972 and 1973 and that Rogers

County should have judgment, in rem, for said amount.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Richard C. McDonald and Margaret A. McDonald, in rem, for the sum of \$17,704.24 with interest thereon at the rate of 8 1/2 percent per annum from March 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County of Rogers have and recover judgment, in rem, against the defendants, Richard C. McDonald and Margaret A. McDonald, for the sum of \$537.29 as of the date of this judgment plus interest thereafter according to law, and that such judgment is superior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, Richard L. Heiligman, Roy McClain d/b/a McClain Standard Station, W. C. Roof, if living, or if not, his unknown heirs, assigns, executors, and administrators, and Rogers County Bank of Claremore.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment, which sale shall be subject to the tax judgment of Rogers County, supra. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing

of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

Luther Bohannon

United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

FILED

MAR 19 1974

Jack C. Silver, Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
vs.)	CIVIL ACTION NO. 73-C-290
)	
)	
VIRGINIA SUE McCULLOUGH a/k/a)	
VIRGINIA THOMAS a/k/a VIRGINIA)	
WASHINGTON, et al.,)	
)	
Defendants.)	

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 18th day of February, 1974, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, the defendant, Planned Credit, Inc., appearing by its attorney, Wayne B. Snow, the defendant, Oklahoma Employment Security Commission, appearing by its attorney, Milton R. Elliott, the defendant, Firestone Tire & Rubber Company, appearing by its attorney, David L. Noss, the defendants, Board of County Commissioners, Tulsa County, and County Treasurer, Tulsa County, appearing by Gary J. Summerfield, Assistant District Attorney, the defendant, Oklahoma Morris Plan Company, appearing by its attorney, D. Wm. Jacobus, Jr., the defendant, Frougs, appearing by its attorney, Don E. Gasaway, and the defendants, Virginia Sue McCullough a/k/a Virginia Thomas a/k/a Virginia Washington, Marvin James McCullough, Vernon Thomas, James H. Locklar, Margaret L. Locklar, Orville Kretzmeir, Fred Slusher d/b/a Fred Slusher Glass Works, Tulsa Task Force Federal Credit Union, Tom W. Crowley, Doyle T. Mitchel, Ace Electric Company, Inc., Northside Children's Nursery, and Joe Meyer d/b/a Joe Meyer Fixture Company, appearing not.

The Court being fully advised and having examined the file herein finds that Marvin James McCullough, Vernon Thomas, James H. Locklar, Margaret L. Locklar, Tom W. Crowley, and Doyle T. Mitchel were served by publication, as appears from the Proof of Publication filed herein on February 19, 1974; that Virginia Sue McCullough a/k/a Virginia Thomas a/k/a Virginia Washington was

served with Summons, Complaint, and Amendment to Complaint on September 11, 1973, and October 5, 1973, respectively; that Planned Credit, Inc., was served with Summons, Complaint, and Amendment to Complaint on September 5, 1973, and October 24, 1973, respectively; that Orville Kretzmeir was served with Summons, Complaint, and Amendment to Complaint on September 6, 1973, and October 15, 1973, respectively; that Firestone Tire & Rubber Company was served with Summons, Complaint, and Amendment to Complaint on September 4, 1973, and October 4, 1973, respectively; that Fred Slusher d/b/a Fred Slusher Glass Works was served with Summons, Complaint, and Amendment to Complaint on September 10, 1973, and October 9, 1973, respectively; that Tulsa Task Force Federal Credit Union and Northside Children's Nursery were served with Summons, Complaint, and Amendment to Complaint on September 10, 1973, and October 5, 1973, respectively; that Ace Electric Company, Inc., and Frougs were served with Summons, Complaint, and Amendment to Complaint on September 11, 1973, and October 4, 1973, respectively; that Oklahoma Employment Security Commission was served with Summons, Complaint, and Amendment to Complaint on September 4, 1973, and October 9, 1973, respectively; that Board of County Commissioners, Tulsa County, and County Treasurer, Tulsa County, were served with Summons, Complaint, and Amendment to Complaint on September 6, 1973, and October 4, 1973, respectively; that Oklahoma Morris Plan Company and Joe Meyer d/b/a Meyer Fixture Company were served with Summons, Complaint, and Amendment to Complaint on October 5, 1973.

It appearing that Planned Credit, Inc., has duly filed its Answer and Disclaimer herein on September 12, 1973; that Oklahoma Employment Security Commission has duly filed its Answer and Cross-Petition herein on September 12, 1973; that Firestone Tire & Rubber Company has duly filed its Answer herein on September 18, 1973; that Board of County Commissioners, Tulsa County, and County Treasurer, Tulsa County, have duly filed their Answer herein on September 12, 1973; that Oklahoma Morris Plan Company has duly filed its Disclaimer herein on October 9, 1973;

that Frougs has duly filed its Disclaimer herein on September 21, 1973; and that Virginia Sue McCullough a/k/a Virginia Thomas a/k/a Virginia Washington, Marvin James McCullough, Vernon Thomas, James H. Locklar, Margaret L. Locklar, Orville Kretzmeir, Fred Slusher d/b/a Fred Slusher Glass Works, Tulsa Task Force Federal Credit Union, Tom W. Crowley, Doyle T. Mitchel, Ace Electric Company, Inc., Northside Children's Nursery, and Joe Meyer d/b/a Joe Meyer Fixture Company have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Fourteen (14), Block Eight (8), SUBURBAN ACRES, 2nd Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

THAT the defendant, Virginia Sue McCullough a/k/a Virginia Thomas a/k/a Virginia Washington, did, on the 7th day of November, 1967, execute and deliver to the Administrator of Veterans Affairs, her mortgage and mortgage note in the sum of \$8,500.00 with 6 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendant, Virginia Sue McCullough a/k/a Virginia Thomas a/k/a Virginia Washington, made default under the terms of the aforesaid mortgage note by reason of her failure to make monthly installments due thereon for more than two months last past, which default has continued and that by reason thereof the above-named defendant is now indebted to the plaintiff in the sum of \$8,108.06 as unpaid principal, with interest thereon at the rate of 6 percent interest per annum from December 1, 1973, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Tulsa, State of Oklahoma, from Virginia Sue

McCullough a/k/a Virginia Thomas a/k/a Virginia Washington, the sum of \$77.95 for personal property taxes for the years 1970, 1971, and 1972 and that Tulsa County should have judgment for said amount, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendant, Virginia Sue McCullough a/k/a Virginia Thomas a/k/a Virginia Washington, in personam, for the sum of \$8,108.06 with interest thereon at the rate of 6 percent interest per annum from December 1, 1973, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County of Tulsa have and recover judgment against the defendant, Virginia Sue McCullough a/k/a Virginia Thomas a/k/a Virginia Washington, for the sum of \$77.95 as of the date of this judgment plus interest thereafter according to law, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, Marvin James McCullough, Vernon Thomas, James H. Locklar, Margaret L. Locklar, Orville Kretzmeir, Firestone Tire & Rubber Company, Fred Slusher d/b/a Fred Slusher Glass Works, Tulsa Task Force Federal Credit Union, Tom W. Crowley, Doyle T. Mitchel, Ace Electric Company, Inc., Northside Children's Nursery, Oklahoma Employment Security Commission, and Joe Meyer d/b/a Joe Meyer Fixture Company.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding

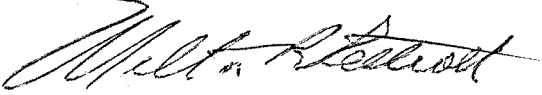
him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

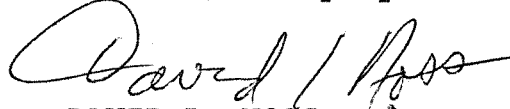
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

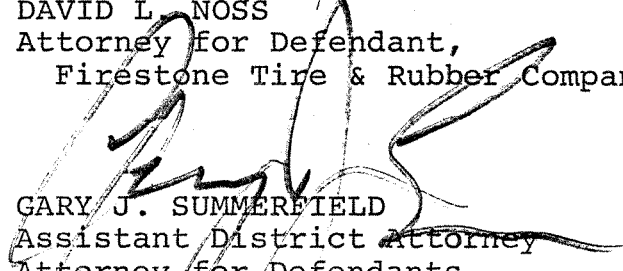
Luther Bohanon
United States District Judge

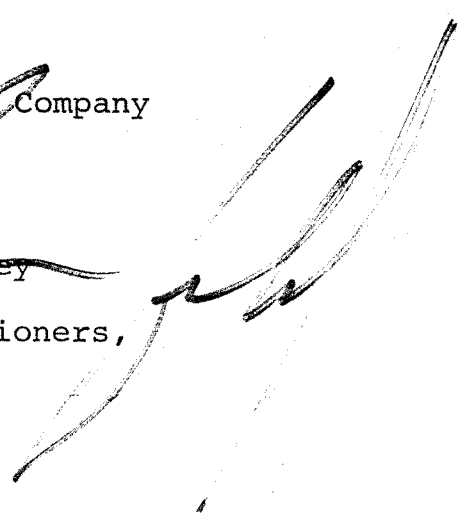
APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Plaintiff,
United States of America


MILTON R. ELLIOTT
Attorney for Defendant,
Oklahoma Employment Security Commission


DAVID L. NOSS
Attorney for Defendant,
Firestone Tire & Rubber Company


GARY J. SUMMERFIELD
Assistant District Attorney
Attorney for Defendants,
Board of County Commissioners,
Tulsa County, and
County Treasurer,
Tulsa County



UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ROBERT J. STANTON, Trustee of)
Tulsa Crude Oil Purchasing)
Company and its Consolidated)
Subsidiaries,)

Plaintiff,)

vs.)

NO. 74-C-102

TIPPERARY LAND AND EXPLORA-)
TION CORPORATION, A Texas)
Corporation, MGF OIL)
CORPORATION, a Delaware)
corporation, BTA OIL PRODUCERS)
a co-partnership, READ &)
STEVENS, INC., a Delaware)
corporation, STOLTZ, WAGNER)
AND BROWN, a partnership)
(formerly STOLTZ AND CO.,)
INC.), WESTERN CRUDE OIL,)
INC., a Delaware corporation,)
and AMOCO PIPELINE COMPANY,)
A Maine corporation,)

Defendants.)

FILED
MAR 18 1974
Jack C. Silver, Clerk
U. S. DISTRICT COURT

APPLICATION FOR ORDER ENLARGING TIME
WITHIN WHICH TO PLEAD OR ANSWER

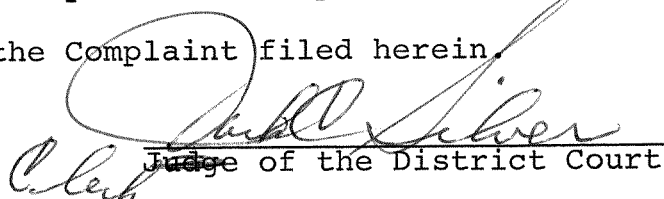
The defendant, Western Crude Oil, Inc., moves for an extension of time of fifteen (15) days or until April 3, 1974, within which to plead or answer to the Complaint. This defendant has not been able to obtain the information necessary to prepare and file its pleadings and answer within the time allotted. No previous request for an extension of time has been made.



David L. Fist
ROSENSTEIN, FIST & RINGOLD
300 McFarlin Building
Tulsa, Oklahoma
Attorneys for Defendant,
Western Crude Oil, Inc.


ORDER ENLARGING TIME

For good cause shown, the defendant, Western Crude Oil, Inc., is granted fifteen (15) days or until April 3, 1974, within which to plead or answer to the Complaint filed herein.


Judge of the District Court

CERTIFICATE OF MAILING

I hereby certify that a full, true and correct copy of the above and foregoing Application was mailed to Jas. O. Ellison, 914 World Building, Tulsa, Oklahoma, 74103, on March 18, 1974, with postage prepaid.



David L. Fist

IN THE UNITED STATES DISTRICT COURT FOR
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAR 18 1974 *js*

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CHRISTIAN ECHOES NATIONAL
MINISTRY, INC.,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

CIVIL NO. 67-C-114

JUDGMENT

A judgment having been entered herein on February 24, 1972, and an appeal having been taken therefrom by the United States of America, defendant, and the United States Court of Appeals for the Tenth Circuit, in an opinion and judgment entered December 18, 1972, having reversed the judgment of this Court in favor of the plaintiff and having found in favor of the defendant, and plaintiff's writ of certiorari having been denied by the United States Supreme Court, it is, in conformity with the mandate of the United States Court of Appeals for the Tenth Circuit, hereby

ORDERED, ADJUDGED and DECREED that the judgment entered on February 24, 1972, be and the same is hereby vacated; it is further

ORDERED, ADJUDGED and DECREED that the plaintiff take nothing, that its claim be dismissed with prejudice, and that the defendant have and recover of the plaintiff its costs.

ENTERED this 18th day of March, 1974.

Cecilia E. Barrow
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DALEWAY ALTOM, et al.,

Defendants.

FILED

MAR 18 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Civil Action No. 73-C-372

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 14th day of March, 1974, the Plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and that the defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, appearing by their Attorney Gary J. Summerfield, Assistant District Attorney; and that the Berry Carter Company, a Corporation, appearing by their Attorney George E. Brewer; and that Robert R. Ward, Jr., having filed his Disclaimer herein; and that the defendants Daleway Altom, Norma Lee Altom, Edward A. Hollingsworth, Orin Glenn Coons, Jr., Shirley Shepherd, Linda Faye Coons, and O.C. Lassiter, Attorney at Law, appearing not.

The Court being fully advised and having examined the file herein finds that the defendants Daleway Altom and Norma Lee Altom were served with Summons and Complaint on January 7, 1974, and were served with Summons and Amendment to Complaint on January 16, 1974. The defendant Edward A. Hollingsworth was served with the Summons and Complaint on November 26, 1973, and was served with a Summons and Amendment to Complaint on January 17, 1974. The defendant Orin Glenn Coons, Jr., was served with a Summons and Complaint on November 26, 1973, and with a Summons and Amendment to Complaint on January 17, 1974. The defendant Barry Carter Company was served with Summons and Complaint on

November 26, 1973, and a Summons and Amendment to Complaint on January 16, 1974. The defendant Shirley Shepherd was served with a Summons and Complaint on November 27, 1973, and a Summons and Amendment to Complaint on January 16, 1974. The defendant Linda Faye Coons was served with a Summons, Complaint, and Amendment to Complaint on February 7, 1974. The defendants O.C. Lassiter, Robert R. Ward, Jr., County Treasurer, and Board of County Commissioners, Tulsa County, were each served with a Summons, Complaint, and Amendment to Complaint on January 16, 1974.

It appearing that the defendants, Tulsa County Treasurer and the Board of County Commissioners, have filed their Answer herein on February 4, 1974; that the defendant, Robert R. Ward, Jr., filed his Disclaimer herein on February 12, 1974; that the defendant Barry Carter Company, a Corporation, filed its Answer and Cross Complaint herein on November 28, 1973; and that the defendants Daleway Altom, Norma Lee Altom, Edward A. Hollingsworth, Orin Glenn Coons, Jr., Shirley Shepherd, Linda Faye Coons, and O.C. Lassiter, have failed to answer herein and default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Eleven (11), Block Two (2),
Valley View Acres Addition to
the City of Tulsa, County of
Tulsa, State of Oklahoma,
according to the recorded plat
thereof.

THAT the defendants, Daleway Altom and Norma Lee Altom, did, on the 7th day of October, 1964, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,700.00, with 5 1/2 percent interest per

annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendants Edward A. Hollingsworth and Orin Glenn Coons, Jr., were the grantees in a deed from Daleway Altom and Norma Lee Altom, dated July 6, 1972, and filed July 6, 1972, in Book 4024, Page 429, records of Tulsa County, wherein Edward A. Hollingsworth and Orin Glenn Coons, Jr. assumed and agreed to pay the mortgage indebtedness being sued upon herein.

The Court further finds that the defendants, Daleway Altom, Norma Lee Altom, Edward A. Hollingsworth, and Orin Glenn Coons, Jr., made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than four months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$8,420.67, as unpaid principal, with interest thereon at the rate of 5 1/2 percent interest per annum from November 1, 1973, until paid, plus the cost of this action accrued and accruing.

The Court further finds that the Defendant Barry Carter Company is entitled to judgment in the amount of \$434.91, with interest of 10 percent per annum from date of March 23, 1973, plus attorneys fees of \$300.00, against Orin Glenn Coons, Jr., but that such judgment is junior and inferior to the first mortgage lien of this plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover judgment against defendants, Daleway Altom, Norma Lee Altom, Edward A. Hollingsworth, and Orin Glenn Coons, Jr., in personam, for the sum of \$8,420.67, with interest thereon at the rate of 5 1/2 percent interest per annum from November 1, 1973, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes,

insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Barry Carter Company have and recover judgment against the defendant Orin Glenn Coons, Jr., in the amount of \$434.91, with interest of 10 percent per annum from March 23, 1973, plus attorneys fees of \$300.00, but that such judgment is junior and inferior to the first mortgage lien of this plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against defendants, Shirley Shepherd, Linda Faye Coons, O.C. Lassiter, Attorney at Law, County Treasurer, Tulsa County, and the Board of County Commissioners, Tulsa County.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


UNITED STATES DISTRICT JUDGE

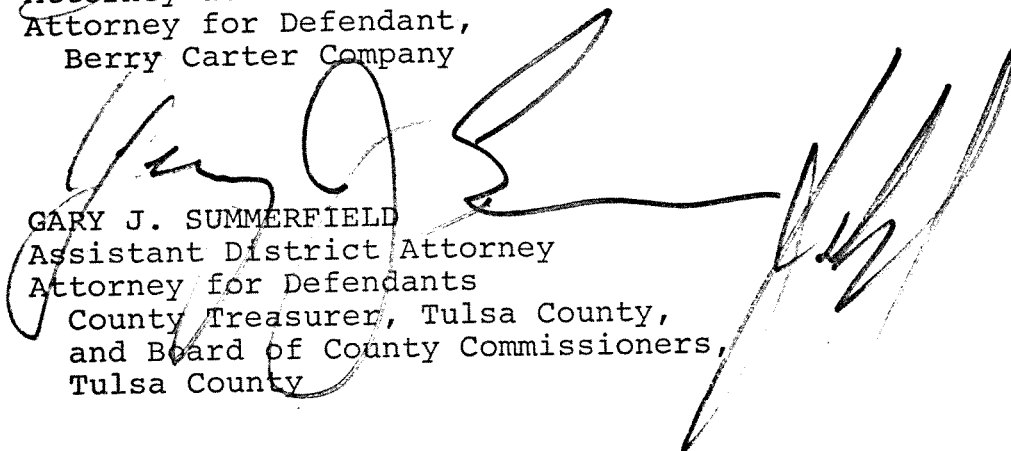
APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Defendant,
Berry Carter Company



GEORGE E. BREWER
Attorney at Law
Attorney for Defendant,
Berry Carter Company



GARY J. SUMMERFIELD
Assistant District Attorney
Attorney for Defendants
County Treasurer, Tulsa County,
and Board of County Commissioners,
Tulsa County

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

COGENEL, INC., a Corporation,

Plaintiff,

v.

ST. LOUIS - SAN FRANCISCO
RAILWAY COMPANY, a Corporation,
and ANIXTER BROS., INC., a
Corporation,

Defendant.

FILED

MAR 15 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

NO. 73-C-349

ORDER OF DISMISSAL

This cause coming before this Court on this 15 day of
March, 1974, and the Court being cognizant of the Stipulation for
Dismissal filed herein on the 13th day of March, 1974, said Stipulation
for Dismissal being executed by counsel for all parties to this action.

IT IS HEREBY ORDERED that the plaintiff's ^{Cause No. 73-C-349} action herein be
dismissed with prejudice, each party to bear his own costs.

151 Allen E. Barrow
UNITED STATES DISTRICT JUDGE

FILED
MAR 15 1974

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.) CIVIL ACTION NO. 73-C-207 ✓
)
JACK O'NEAL CLONTS, et al.,)
)
Defendants.)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 13
day of March, 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, the defendant, Jack O'Neal
Clonts, appearing by his attorney, Robert Bowman Manke, the
defendant, Vestal Comfort & Allis, Inc., appearing by Paul E.
Vestal, President, the defendants, County Treasurer, Tulsa
County, and Board of County Commissioners, Tulsa County, appear-
ing by Gary J. Summerfield, Assistant District Attorney, and
the defendants, Laura B. Clonts, if living, or if not, her unknown
heirs, assigns, executors, and administrators, James H. Hays, Jr.,
Mary Beatrice Hays, Harvey W. Stout, Alene Stout, Ruby Lee
Davault, Ray Harper, Gwen Harper, Oklahoma Osteopathic Foundation
Association d/b/a Oklahoma Osteopathic Hospital, Clark-Waddell
Supply Company, and William O. (Don) Evans, appearing not.

The Court being fully advised and having examined
the file herein finds that Jack O'Neal Clonts was served with
Summons, Complaint, and Amendment to Complaint on August 2, 1973,
and August 24, 1973, respectively; that Harvey W. Stout was
served with Summons, Complaint, and Amendment to Complaint on
July 25, 1973, and August 24, 1973, respectively; that Alene
Stout was served with Summons, Complaint, and Amendment to
Complaint on July 23, 1973, and August 24, 1973, respectively;
that Ruby Lee Davault was served with Summons, Complaint, and
Amendment to Complaint on July 20, 1973, and August 21, 1973,
respectively; that Ray Harper and Gwen Harper were served with
Summons, Complaint, and Amendment to Complaint on July 26, 1973,

and August 21, 1973, respectively; that Oklahoma Osteopathic Foundation Association d/b/a Oklahoma Osteopathic Hospital and Clark-Waddell Supply Company were served with Summons, Complaint, and Amendment to Complaint on July 20, 1973, and August 21, 1973, respectively; that William O. (Don) Evans was served with Summons, Complaint, and Amendment to Complaint on August 1, 1973, and August 21, 1973, respectively; that Vestal Comfort & Allis, Inc., was served with Summons, Complaint, and Amendment to Complaint on July 18, 1973, and August 22, 1973, respectively; that County Treasurer, Tulsa County, and Board of County Commissioners, Tulsa County, were served with Summons, Complaint, and Amendment to Complaint on August 21, 1973, all as appears from the Marshal's Return of Service herein; and that Laura B. Clonts, if living, or if not, her unknown heirs, assigns, executors, and administrators, James H. Hays, Jr., and Mary Beatrice Hays were served by publication, as appears from the Proof of Publication filed herein on February 28, 1974.

It appearing that Jack O'Neal Clonts has duly filed his Answer herein on August 13, 1973; that Vestal Comfort & Allis, Inc., has duly filed its Disclaimer herein on July 30, 1973; that County Treasurer, Tulsa County, and Board of County Commissioners, Tulsa County, have duly filed their Answer herein on August 30, 1973; and that Laura B. Clonts, if living, or if not, her unknown heirs, assigns, executors, and administrators, James H. Hays, Jr., Mary Beatrice Hays, Harvey W. Stout, Alene Stout, Ruby Lee Davault, Ray Harper, Gwen Harper, Oklahoma Osteopathic Foundation Association d/b/a Oklahoma Osteopathic Hospital, Clark-Waddell Supply Company, and William O. (Don) Evans, have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Twelve (12), Block Sixteen (16), VALLEY VIEW ACRES ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

THAT the defendants, Harvey W. Stout and Alene Stout, did, on the 1st day of March, 1965, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,500.00 with 5 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendants, James H. Hays, Jr., and Mary Beatrice Hays, were the grantees in a deed from Harvey W. Stout and Alene Stout, dated June 4, 1968, and filed December 31, 1968, in Book 3874, Page 1660, records of Tulsa County, wherein James H. Hays, Jr., and Mary Beatrice Hays assumed and agreed to pay the mortgage indebtedness being sued upon herein.

The Court further finds that the defendants, Jack O'Neal Clonts and Laura B. Clonts, were the grantees in a deed from James H. Hays, Jr., and Mary Beatrice Hays, dated October 1, 1969, and filed December 19, 1969, in Book 3912, Page 396, records of Tulsa County, wherein Jack O'Neal Clonts and Laura B. Clonts assumed and agreed to pay the mortgage indebtedness being sued upon herein.

The Court further finds that the defendants, Harvey W. Stout, Alene Stout, James H. Hays, Jr., Mary Beatrice Hays, Jack O'Neal Clonts, and Laura B. Clonts, if living, or if not, her unknown heirs, assigns, executors, and administrators, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$8,461.88 as unpaid principal, with interest thereon at the rate of 5 1/2 percent interest per annum from December 1, 1971, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Tulsa, State of Oklahoma, from Jack O'Neal Clonts and Laura B. Clonts, if living, or if not, her unknown heirs, assigns, executors, and administrators, the sum of \$76.36 for personal property taxes for the years 1970, 1971, and 1972 and that Tulsa County should have judgment, in rem, for said amount, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Harvey W. Stout and Alene Stout, in personam, James H. Hays, Jr., Mary Beatrice Hays, and Laura B. Clonts, if living, or if not, her unknown heirs, assigns, executors, and administrators, in rem, for the sum of \$8,461.88 with interest thereon at the rate of 5 1/2 percent interest per annum from December 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County of Tulsa have and recover judgment, in rem, against the defendants, Jack O'Neal Clonts and Laura B. Clonts, if living, or if not, her unknown heirs, assigns, executors, and administrators, for the sum of \$76.36 as of the date of this judgment plus interest thereafter according to law, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, Jack O'Neal Clonts, Ruby Lee Davault, Ray Harper, Gwen Harper, Oklahoma Osteopathic Foundation Association d/b/a Oklahoma Osteopathic Hospital, Clark-Waddell Supply Company, and William O. (Don) Evans.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's


money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

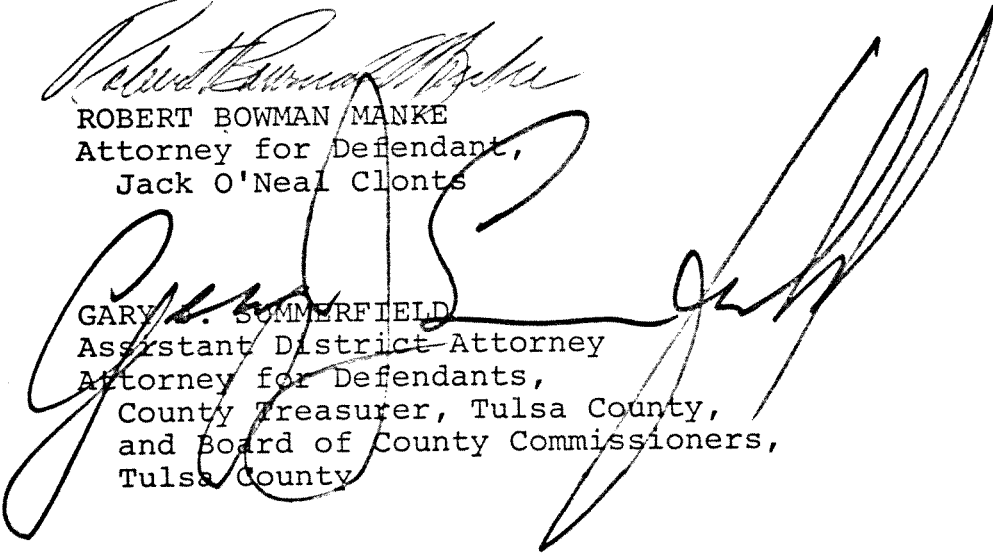
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Plaintiff,
United States of America


ROBERT BOWMAN MANKE
Attorney for Defendant,
Jack O'Neal Clonts


GARY L. SUMMERFIELD
Assistant District Attorney
Attorney for Defendants,
County Treasurer, Tulsa County,
and Board of County Commissioners,
Tulsa County

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND TRUST)
COMPANY OF TULSA, a National)
Banking Association,)
)
Plaintiff,)
)
vs.)
)
MIAMI INDUSTRIAL AUTHORITY, a)
Public Trust, et al,)
)
Defendants.)

NO. C - ~~71~~ 356

✓
72-C-78

E I L E D

MAR 14 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

O R D E R

NOW, on this 14th day of March, 1974, the
above-entitled matter comes on for hearing upon the Stipulation of plaintiff
and the defendant, Calvin L. Watts, to dismiss, and the Court being well and
fully advised, finds that with respect to the cause of action in favor of
either plaintiff or defendant, Calvin L. Watts, the same should be and is
hereby dismissed.

Allen E. Baron
Chief Judge of the United States
District Court for the Northern
District of Oklahoma

APPROVED:

James R. Ryan
James R. Ryan
Attorney for Plaintiff

Edgar Fenton
Edgar Fenton
Attorney for Defendant, Calvin L. Watts

UNGERMAN, GRABEL & UNGERMAN

By James R. Ryan
Attorneys for Plaintiff

LAW OFFICES
UNGERMAN,
GRABEL &
UNGERMAN

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CECIL PUCKETTE and ROSEALIE A.
PUCKETTE, husband and wife,

Defendants.

CIVIL ACTION NO. 73-C-334 ✓

FILED

MAR 13 1974 J.

Jack C. Silver, Clerk
U. S. DISTRICT COURT


STIPULATION OF DISMISSAL

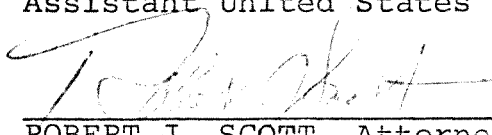
COME NOW the United States of America, plaintiff herein,
by and through its attorney, Robert P. Santee, Assistant United
States Attorney for the Northern District of Oklahoma, and the
Oklahoma Turnpike Authority, defendant herein, by and through its
attorney, Robert J. Scott, and Cecil Puckette and Rosealie A.
Puckette, and hereby stipulate that the above-captioned action may
be dismissed.

Dated this 13th day of MARCH, 1974.

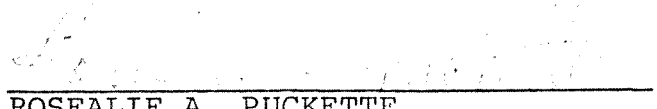
UNITED STATES OF AMERICA

NATHAN G. GRAHAM
United States Attorney


ROBERT P. SANTEE
Assistant United States Attorney


ROBERT J. SCOTT, Attorney
Oklahoma Turnpike Authority


CECIL PUCKETTE


ROSEALIE A. PUCKETTE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,) CIVIL ACTION NO. 71-C-269
)
vs.) Tract No. 1271M
)
21.25 Acres of Land, More or) (All Interests)
Less, Situate in Nowata County,)
State of Oklahoma, and Mary)
Duncan, et al., and Unknown)
Owners,)
)
Defendants.)

FILED

(MAR 13 1974)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 13 day of March, 1974, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment fixing just compensation in this matter. After having examined the files in this action and being advised by counsel, the Court finds:

2.

This judgment applies to the entire estate condemned in Tract No. 1271M, as such estate and tract are described in the Complaint filed in this action.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject property.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the property described above in paragraph 2. Pursuant thereto, on June 22, 1971, the United States of America filed its Declaration of Taking of such

property, and title thereto should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the estate taken in the subject tract a certain sum of money, and none of this deposit has been disbursed, as set out below in paragraph 13.

7.

Mr. Charley Miller, Office of the Regional Solicitor, has received from Harry Duncan, Puna Duncan Soap, Mary Duncan Silver-smith, Rabbit Hooper and George Scott, written authorization to represent such Indian owners in this case, and has personally appeared in this matter on behalf of such owners.

The other five owners of the subject property have not made any appearance of any kind in this case and are wholly in default.

8.

Mr. Miller has advised the Court that in the event of a trial the evidence of the owners he represents would be based upon a sale of comparable property and that such evidence would show the subject property has a market value of \$25.00 per acre for a total, for all interests, of \$531.25.

Counsel for Plaintiff advised the Court that in the event of a trial its evidence would be the testimony of J. M. Wanenmacher, Jr., Petroleum Engineer, to the effect that the market value of subject property was \$68.00.

Neither party requested a trial. Based upon the pre-trial statements of the parties, the Court concludes that a trial is not necessary or advisable and that the sum of \$213.00 should be adopted as the award of just compensation for the subject interest,

9.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract and the amount fixed by the Court as just compensation

and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 13.

10.

The defendants named in paragraph 13 as the owners of the estate taken in the subject tract are the only defendants asserting any interest in such property. All other defendants having either disclaimed or defaulted, the named defendants are the owners of such property, as of the date of taking, and, as such, are entitled to receive the just compensation awarded by this judgment.

11.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint, is condemned and title thereto is vested in the United States of America, as of July 22, 1971, and all defendants herein and all other persons are forever barred from asserting any claim to such property.

12.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 13 and the right to receive the just compensation awarded by this judgment is vested in the parties so named.

13.

It Is Further ORDERED, ADJUDGED and DECREED that the sum of \$213.00 hereby is adopted as the award of just compensation for the estate taken in subject tract, as shown by the following schedule:

TRACT NO. 1271M

Owners:

Harry Duncan -----	1/3
Puna Duncan Soap -----	7/36
Mary Duncan Silversmith -----	7/36
Rabbit Hooper -----	1/12
Lacie Scott -----	1/18
Curtis Scott -----	5/144
Betty Jean Scott Abel -----	5/144
George Scott -----	5/144
Bobby Warren Decker -----	5/288
Tayna Lynn Decker -----	5/288

Award of just compensation		
pursuant to Court's findings -----	\$213.00	\$213.00
Deposited as estimated compensation ---	68.00	
Disbursed to owners -----		<u>None</u>
Balance due to owners -----		\$213.00
Deposit deficiency -----	\$145.00	

14.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency shown in paragraph 13 above, in the amount of \$145.00, and such sum shall be placed in the deposit for the subject tract in this civil action.

Upon receipt of such deficiency deposit the Clerk of this Court shall disburse the deposit for the subject tract as follows:

To - Harry Duncan -----	\$71.00
Puna Duncan Soap -----	41.41
Mary Duncan Silversmith -----	41.41
Rabbit Hooper -----	17.75
Lacie Scott -----	11.83
Curtis Scott -----	7.40
Betty Jean Scott Abel -----	7.40
George Scott -----	7.40
Bobby Warren Decker -----	3.70
Tayna Lynn Decker -----	3.70

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ HUBERT A. MARLOW

HUBERT A. MARLOW
Assistant United States Attorney

/s/ Charley R. Miller

CHARLEY R. MILLER
Attorney for Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

HOME-STAKE PRODUCTION COMPANY,)
a corporation,)
Plaintiff,)
vs.)
CHARLES N. GLASS, et al.,)
Defendants.)

Civil Action
NO. 70-C-161

FILED
MAR 12 1974
Jack C. Silver, Clerk
U. S. DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT


On this 12th day of March, 1974, the captioned cause comes on for trial before me the undersigned Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff having filed for reorganization pursuant to Chapter X of the Bankruptcy laws of the United States appeared by the attorney for its Trustee, A. F. Ringold of Rosenstein Fist & Ringold. The defendants Charles N. Glass and Donald R. Kee appeared by their attorney Jack Santee of Martin, Logan, Moyers, Martin & Conway and the defendant National Bank of Tulsa appeared by its attorneys Rogers, Robinson & Bell.

The parties announced ready to proceed and, all parties having waived their right to a trial by jury, the Court proceeded with the case. The plaintiff proceeded to introduce its evidence and rested. The defendants then proceeded to introduce their evidence and rested and the Court, having considered the evidence presented by the parties in the form of joint stipulations and testimony, and having heard the argument of counsel, found that the plaintiff was entitled to judgment against the defendants in the sum of \$24,200.00.

The undersigned Judge finds that he has heretofore disqualified himself from further participation in this case pursuant to the ruling of the United States Court of Appeals for the Tenth Circuit prohibiting the Judge assigned to the Chapter X proceedings of a corporation from further action in a civil suit involving that corporation. The Court further finds that the other two federal judges for this district have also disqualified themselves. Notwithstanding, the undersigned Judge finds that he has authority to enter this Journal Entry of Judgment which has been agreed upon and approved by all parties, since such action would be only an administrative act on his part, and would not violate the rule of the Court of Appeals.

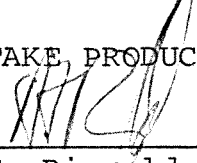
IT IS ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against the defendants, Charles N. Glass and Donald R. Kee in the sum of \$24,200.00. Each party will pay their own costs.

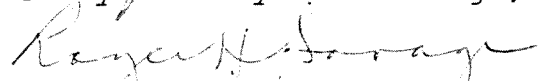
IT IS FURTHER ORDERED AND DECREED that the defendant National Bank of Tulsa is authorized and directed to pay to the plaintiff Home-Stake Production Company the sum of \$24,200.00 of and from that certain escrow fund which was created by agreement dated December 19, 1968, which fund was to be held as security for the performance of all representations and warranties set forth in said agreement and the said National Bank of Tulsa is authorized and directed to refund to Charles N. Glass and Donald R. Kee the balance remaining in said escrow fund after the payment of \$24,200.00 to Home-Stake Production Company.


JUDGE, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

APPROVED AS TO FORM:

HOME-STAKE PRODUCTION COMPANY

By 
A. F. Ringold
Attorney for Royce H. Savage, Trustee


CHARLES N. GLASS and DONALD R. KEE

By 
Jack Santee
Martin, Logan, Moyers, Martin & Conway

NATIONAL BANK OF TULSA

By 
Rogers, Robinson & Bell

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM J. HILL,

Defendant.)

FILED

MAR 12 1974

Jack C. Silver, Clerk
U.S. DISTRICT COURT

Civil Action No. 74-C-90

JUDGMENT OF FORECLOSURE

NOW on this 11TH day of March, 1974, this matter coming on for consideration, the plaintiff, United States of America, appearing by and through its attorney, Robert P. Santee, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant, William J. Hill, appearing not; and it appearing that this is a suit based upon a Promissory Note and for foreclosure of a Security Agreement securing said note; and

It further appearing that the chattels described in said Security Agreement are located in Tulsa County, Oklahoma, and

It further appearing that due and legal personal service of summons was made upon the defendant, William J. Hill, on February 11, 1974, requiring him to answer the Complaint herein, and that more than twenty (20) days have elapsed since the date of service of the summons, and it appearing that said defendant has failed to file an answer or otherwise plead herein and that he is hereby in default.

The Court, being fully advised, finds that the allegations and averments in the Complaint are true and correct and that there is due and owing to the plaintiff, United States of America, the sum of \$15,806.07, interest accrued thereon in the

sum of \$297.68 through November 13, 1973, and interest accruing thereafter at the rate of \$2.6343 per day.

The Court further finds that the plaintiff has a first and prior lien upon the chattels described in the Security Agreement by virtue of said Security Agreement given covering such personal property.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT the plaintiff, United States of America, have and recover from the defendant, William J. Hill, a judgment in the sum of \$15,806.07, interest accrued thereon in the sum of \$297.68 through November 13, 1973, and interest accruing thereafter at the rate of \$2.6343 per day.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT upon the failure of the defendant, William J. Hill, to satisfy the judgment of plaintiff, an Order of Sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon, advertise and sell according to law, with appraisement, the chattels hereinabove described and as listed in the Security Agreement and hereinabove referred to and to apply the proceeds of such sale of personal property as follows:

1. In payment of the costs of the sale and of the cost of this action.

2. In payment to plaintiff of the sum of \$15,806.07, together with interest accrued thereon in the sum of \$297.68 through November 13, 1973, and interest accruing thereafter at the rate of \$2.6343 per day.

3. The residue, if any, to be paid to the Clerk of this Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the hereinabove described chattels and as listed in the Security Agreement hereinabove referred to, be sold, with appraisement, and after such sale by virtue of this judgment and decree, the defendant, and all persons claiming under him since the filing of the Complaint herein, be and they are forever barred and foreclosed of and from any and every lien upon, right, title, interest, estate or equity of, in or to the personal property hereinabove referred to.

s/ Luther Bohanon
United States District Judge

APPROVED:


ROBERT P. SANTEE
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL V. BARNETT a/k/a PAUL V.
BARNETTE a/k/a PAUL VERNON
BARNETTE, If Living, or if not
his unknown Heirs, Assigns,
Executors & Administrators,
et al.,

Defendants.

CIVIL ACTION NO. 73-C-225 ✓

FILED

MAR 12 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 11th day
of March , 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, the defendants, County Treasurer,
Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa
County, Oklahoma, appearing by Gary J. Summerfield, Assistant
District Attorney, District No. 14, Tulsa County, Oklahoma, and
the defendants, Paul V. Barnett a/k/a Paul V. Barnette a/k/a Paul
Vernon Barnette, if living, or if not, his unknown heirs, assigns,
executors, and administrators; Olivett D. Barnett a/k/a Olivett D.
Barnette, Maxine Barnett, Evelyn Barnette, and Beneficial Finance
Company of Oklahoma, appearing not.

The Court being fully advised and having examined
the file herein finds that defendants, Paul V. Barnett a/k/a Paul V.
Barnette a/k/a Paul Vernon Barnette, if living, or if not, his unknown
heirs, assigns, executors and administrators; Olivett D. Barnett
a/k/a Olivett D. Barnette, and Maxine Barnett, were served by
publication as appears from the Proof of Publication filed herein
on January 7, 1974; that the defendant, Evelyn Barnette, Guardian Ad
Litem for Dwayne Neal Barnette and Paul Vernon Barnette, both minors,
was served with Summons, Complaint, Amendment to Complaint and Second
Amendment to Complaint on January 17, 1974; that defendant, Beneficial
Finance Company of Oklahoma was served with Summons and Complaint on
July 26, 1973, with Summons and Amendment to Complaint on September
27, 1973, with Summons and Second Amendment to Complaint on November 7

1973; that the defendants, County Treasurer, Tulsa County, Oklahoma, and the Board of County Commissioners, Tulsa County, Oklahoma, were served with Summons and Complaint on July 25, 1973, with Summons and Amendment to Complaint on September 26, 1973, and with Summons and Second Amendment to Complaint on November 5, 1973, all as appears from the Marshal's Returns of Service herein; and

It appearing that defendants, Paul V. Barnett a/k/a Paul V. Barnette a/k/a Paul Vernon Barnette, if living, or if not, his unknown heirs, assigns, executors, and administrators; Olivett D. Barnett a/k/a Olivett D. Barnette, Maxine Barnett, Evelyn Barnette, and Beneficial Finance Company of Oklahoma, have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Twenty-One (21), Block Nine (9), CHANDLER-FRATES SECOND ADDITION to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

THAT the defendants, Paul V. Barnett and Olivett D. Barnett, did, on the 1st day of May, 1968, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,500.00, with 6 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendants, Paul V. Barnett and Olivett D. Barnett, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$8,996.79 as unpaid principal, with interest

thereon at the rate of 6 percent interest per annum from April 15, 1972, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County Treasurer, Tulsa County, Oklahoma, and the Board of County Commissioners, Tulsa County, Oklahoma, from Paul V. Barnett and Olivett D. Barnett, the sum of \$2.74 for personal property taxes for the year 1971, and that the County Treasurer and the Board of County Commissioners, Tulsa County, Oklahoma, should have judgment in rem for said amount, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Paul V. Barnett and Olivett D. Barnett, the plaintiff have and recover judgment against defendants, in rem, for the sum of \$8,996.79 with interest thereon at the rate of 6 percent interest per annum from April 15, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County Treasurer and the Board of County Commissioners, Tulsa County, Oklahoma have and recover judgment, in rem, against the defendants, Paul V. Barnett and Olivett D. Barnett, for the sum of \$2.74 as of the date of this judgment plus interest thereafter according to law, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against defendants, Maxine Barnett, Evelyn Barnette, and Beneficial Finance Company of Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of defendants, Paul V. Barnett a/k/a Paul V. Barnette a/k/a Paul Vernon Barnette, if living, or if not his unknown heirs, assigns, executors, and administrators, and Olivett D.

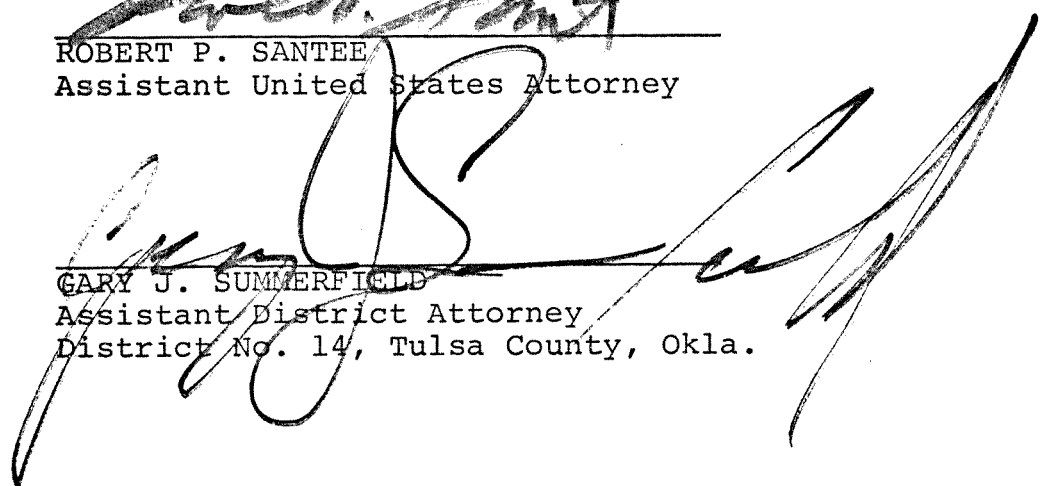
Barnett a/k/a Olivett D. Barnette, to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney


GARY J. SUMMERFIELD
Assistant District Attorney
District No. 14, Tulsa County, Okla.

FILED

MAR 8¹² 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) CIVIL ACTION NO. 73-C-282
vs.)
)
TOMMY R. AUSTIN a/k/a TOMMY R.)
AUSTIN, SR., et al.,)
)
Defendants.)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 11th day
of March, 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Tommy R.
Austin a/k/a Tommy R. Austin, Sr., and Lucille M. Austin, appear-
ing by and through their attorney, Frederick L. Boss, Jr., and the
defendant, Osteopathic Hospital Founders Association, Inc., d/b/a
Oklahoma Osteopathic Hospital, filed its disclaimer herein on
August 31, 1973, and the defendants, B. M. Spicer and Roy Weathers,
appearing not.

The Court being fully advised and having examined the
file herein finds that due and legal process of service was made
on Tommy R. Austin a/k/a Tommy R. Austin, Sr., and Lucille M. Austin
on September 13, 1973; on Osteopathic Hospital Founders Association,
Inc., d/b/a Oklahoma Osteopathic Hospital, on August 28, 1973, and on
B. M. Spicer on September 26, 1973, as appears from the U. S. Marshal's
Returns of Service herein, and that service by publication was made
on Roy Weathers as appears from the Proof of Publication filed
herein, and

It appearing that defendants, B. M. Spicer and Roy Weathers,
have failed to answer herein and that default has been entered
by the Clerk of this Court.

The Court further finds that this is a suit based upon
a mortgage note and foreclosure on a real property mortgage securing
said mortgage note and that the following described real property
is located in Tulsa County, Oklahoma, within the Northern Judicial
District of Oklahoma:

A tract of land, beginning at a point 932.4 feet East of the NW corner of the SE 1/4 of Section 10, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, Oklahoma; thence 287.6 feet South; thence 227.7 feet East; thence 287.6 Feet North; thence 227.7 feet West to the point of beginning, and containing one and one-half acres, more or less, all in the Northwest Quarter of the Southeast Quarter of said Section Ten (10), Township Nineteen (19) North, Range Eleven (11) East, according to the U. S. Government Survey thereof.

THAT the defendants, Tommy R. Austin a/k/a Tommy R. Austin, Sr., and Lucille M. Austin, did, on the 31st day of December, 1970, execute and deliver to Diversified Mortgage and Investment Company their mortgage and mortgage note in the sum of \$12,250.00 with 8 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

That by Assignment of Mortgage of Real Estate dated December 31, 1970, Diversified Mortgage and Investment Company assigned said Mortgage to Federal National Mortgage Association, and by Reassignment of Mortgage dated April 1, 1971, Federal National Mortgage Association reassigned said Mortgage to Diversified Mortgage and Investment Company. That by Assignment of Real Estate Mortgage dated April 15, 1971, Diversified Mortgage and Investment Company assigned said Mortgage to Home Federal Savings and Loan Association of Tulsa, and by Assignment of Mortgage dated August 31, 1971, Home Federal Savings and Loan Association assigned said Mortgage to the Secretary of Housing and Urban Development, Washington, D. C.

The Court further finds that the defendants, Tommy R. Austin and Lucille M. Austin, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$13,388.21 as unpaid principal, with interest thereon at the rate of 8 1/2 percent interest per annum from October 1, 1972, until paid, plus additional

interest of \$2.84 and service charge of \$0.17 per day for each day beginning October 1, 1972, until paid, plus any additional sums advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums expended for the preservation of subject property, plus the cost of this action accrued and accruing.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED THAT the plaintiff have and recover judgment, in personam, against defendants, Tommy R. Austin a/k/a Tommy R. Austin, Sr., and Lucille M. Austin, in the sum of \$13,388.21 with interest thereon at the rate of 8 1/2 percent per annum from October 1, 1972, until paid, plus additional interest of \$2.84 and service charge of \$0.17 per day for each day beginning October 1, 1972, until paid, plus additional sums advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums expended for the preservation of subject property, plus the cost of this action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the Plaintiff have and recover judgment, in rem, against the defendants, B. M. Spicer and Roy Weathers.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of defendants, Tommy R. Austin a/k/a Tommy R. Austin, Sr., and Lucille M. Austin, to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

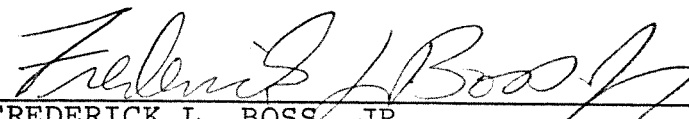
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint

herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney


FREDERICK L. BOSS, JR.,
Attorney for Tommy R. Austin and
Lucille M. Austin

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAR 12 1974
Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

RICHARD D. STEWART, et al.,)

Defendants.)

CIVIL ACTION NO. 73-C-284 ✓

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 11th day of March , 1974, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney; defendant, Oklahoma Osteopathic Hospital, appearing by its attorney, William B. Lee, and the defendants, Richard D. Stewart and Rachel Stewart, appearing not.

The Court being fully advised and having examined the file herein finds that copies of the Summons, Complaint, and Amendment to Complaint were served on defendant, Oklahoma Osteopathic Hospital on September 26, 1973, as appears from the Marshal's Return of Service herein; that after diligent effort the whereabouts and residence of defendants, Richard D. Stewart and Rachel Stewart, cannot be ascertained, and that due and legal process of service was made on these defendants by publication, as appears from the Proof of Publication filed herein, and

It appearing that the defendants, Richard D. Stewart and Rachel Stewart, have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Fifteen (15), Block Twelve (12), ROLLING HILLS THIRD ADDITION, an Addition in Tulsa County, Oklahoma, according to the recorded plat thereof.

THAT the defendants, Richard D. Stewart and Rachel Stewart, did, on the 10th day of June, 1970, execute and deliver to Lomas & Nettleton West, Inc., their certain Promissory Note and Mortgage in the principal sum of \$15,500.00 with interest thereon at the rate of 8 1/2 percent per annum from date until paid, said payments being payable in monthly installments of \$119.20 commencing on the 1st day of August, 1970; that by Assignment of Mortgage of Real Estate dated July 27, 1970, Lomas & Nettleton West, Inc., assigned, transferred and set over said Promissory Note and Mortgage to Federal National Mortgage Association; and that by Assignment dated May 1, 1972, Federal National Mortgage Association assigned, transferred and set over said Promissory Note and Mortgage to the Secretary of Housing and Urban Development.

The Court further finds that the defendants, Richard D. Stewart and Rachel Stewart, made default under the terms of the aforesaid Promissory note and Mortgage by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$15,320.04 as unpaid principal, with interest thereon at the rate of 8 1/2 percent interest per annum from January 1, 1972, until paid, plus the cost of this action accrued and accruing.

The Court further finds that the defendant, Oklahoma Osteopathic Hospital, has a good and valid unsatisfied judgment which is a lien against the subject property in the principal sum of \$532.20, plus Court Costs in the sum of \$30.00, plus attorney's fees in the sum of \$200.00 together with interest thereon at the rate of 10 percent per annum from May 17, 1973, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Richard D. Stewart and Rachel Stewart, in rem, for the sum of \$15,320.04 with interest thereon at the rate of 8 1/2 percent interest per annum from January 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant, Oklahoma Osteopathic Hospital, have and recover judgment against the defendants, Richard D. Stewart and Rachel Stewart, in rem, in the principal sum of \$532.20, plus Court costs in the sum of \$30.00, plus attorney's fees in the sum of \$200.00 together with interest thereon at the rate of 10 percent per annum from May 17, 1973, until paid, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

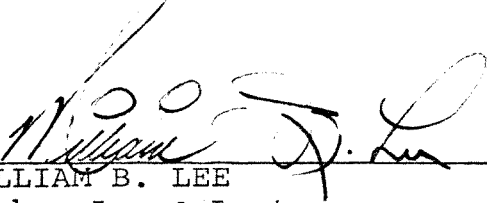
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney



WILLIAM B. LEE
Works, Lee & Lentz
Attorneys-at-Law

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 12 1974

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BARBARA D. WRIGHT, a single
woman, et al.,

Defendants.

CIVIL ACTION NO. 73-C-356 ✓

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 12
day of March, 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Barbara D.
Wright, a single woman, County Treasurer, Rogers County, and
Board of County Commissioners, Rogers County, appearing not.

The Court being fully advised and having examined
the file herein finds that Barbara D. Wright was served by
publication, as appears from the Proof of Publication filed
March 8, 1974; and that County Treasurer, Rogers County, and
Board of County Commissioners, Rogers County, were served with
Summons and Complaint on November 7, 1973, as appears from the
Marshal's Return of Service herein.

It appearing that the said defendants have failed
to answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property mortgage
securing said mortgage note and that the following described
real property is located in Rogers County, Oklahoma, within
the Northern Judicial District of Oklahoma:

Lot One (1), Block Five (5), SUNSET ACRES
SUBDIVISION, an Addition to the City of
Claremore, Rogers County, State of
Oklahoma according to the recorded plat
thereof.

THAT the defendant, Barbara D. Wright, did, on the 8th
day of May, 1970, execute and deliver to the Lomas & Nettleton

West, Inc., her mortgage and mortgage note in the sum of \$16,650.00 with 8 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

That by Assignment of Mortgage of Real Estate dated June 17, 1970, the Lomas & Nettleton West, Inc., assigned said note and mortgage to Federal National Mortgage Association; and that by Assignment of Mortgage of Real Estate dated December 1, 1970, Federal National Mortgage Association assigned said note and mortgage to the Secretary of Housing and Urban Development, Washington, D.C.

The Court further finds that the defendant, Barbara D. Wright, made default under the terms of the aforesaid mortgage note by reason of her failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendant are now indebted to the plaintiff in the sum of \$16,410.41 as unpaid principal, with interest thereon at the rate of 8 1/2 percent interest per annum from April 1, 1972, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendant, Barbara D. Wright, in rem, for the sum of \$16,410.41 with interest thereon at the rate of 8 1/2 percent interest per annum from April 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, County Treasurer, Rogers County, and Board of County Commissioners, Rogers County.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to

the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney

FILED
MAR 12 1974
Jack C. Silver, Clerk
U. S. DISTRICT COURT

Civil Action No. 73-C-373

THIS MATTER COMES on for consideration this 11TH day of March, 1974, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendant, Richard Dean G. Curtis, appearing not.

It appearing that the said defendant has failed to answer herein and that default has been entered by the Clerk of this Court.

Lot Fifty (50), Block Two (2), Suburban Acres
Third Addition to the City of Tulsa, County of
Tulsa, State of Oklahoma, according to the
recorded plat thereof.

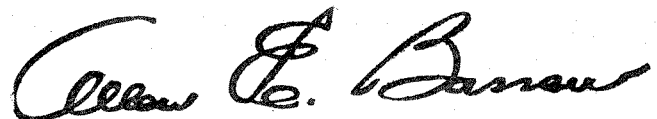
THAT the defendant, Richard G. Curtis, did, on the 5th day of October, 1972, execute and deliver to the Administrator of Veterans Affairs, his mortgage and mortgage note in the sum of \$9,750.00, with 4-1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendant, Richardean G. Curtis, made default under the terms of the aforesaid mortgage note by reason of his failure to make monthly installments due thereon for more than twelve months last past, which default has continued and that by reason thereof, the above-named defendant is now indebted to the plaintiff in the sum of \$9,712.37 as unpaid principal, with interest thereon at the rate of 4-1/2 percent per annum from December 1, 1972, until paid, plus the cost of this action accrued and accruing.


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendant, Richardean G. Curtis, in rem, for the sum of \$9,712.37, with interest thereon at the rate of 4-1/2 percent per annum from December 1, 1972, until paid, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendant to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, the defendant and all persons claiming under him since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney

FILED

MAR 12 1974 ✓

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLY JACK HOPPOCK, et al.,

Defendants.

CIVIL ACTION NO. 74-C-20 ✓

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 11th
day of March, 1974, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Billy
Jack Hoppock and Mary Pearl Hoppock, appearing not.

The Court being fully advised and having examined
the file herein finds that Billy Jack Hoppock and Mary Pearl
Hoppock were served with Summons and Complaint on January 23,
1974, as appears from the Marshal's Return of Service herein.

It appearing that the said defendants have failed
to answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property mortgage
securing said mortgage note and that the following described
real property is located in Washington County, Oklahoma, within
the Northern Judicial District of Oklahoma:

Lot Three (3), in Block Nine (9), of West
Sunset Addition to the City of Bartlesville,
Oklahoma, Washington County, State of
Oklahoma, according to the recorded plat
thereof.

THAT the defendants, Billy Jack Hoppock and Mary Pearl
Hoppock, did, on the 4th day of November, 1968, execute and
deliver to the Administrator of Veterans Affairs, their mortgage
and mortgage note in the sum of \$8,900.00 with 7 percent interest
per annum, and further providing for the payment of monthly
installments of principal and interest.

The Court further finds that the defendants, Billy Jack Hoppock and Mary Pearl Hoppock, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 9 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$8,426.70 as unpaid principal, with interest thereon at the rate of 7 percent interest per annum from June 4, 1973, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Billy Jack Hoppock and Mary Pearl Hoppock, in personam, for the sum of \$8,426.70 with interest thereon at the rate of 7 percent interest per annum from June 4, 1973, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

Leitha Bohannon
United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED
MAR 12 1974
Jack C. Silver, Clerk
U. S. DISTRICT COURT

EDO-AIRE MITCHELL,)
)
Plaintiff,)
)
vs.)
)
AUTOPILOTS CENTRAL INC.,)
)
Defendant.)

No. 74-C-55 ✓

ORDER

This matter having come to be heard upon the Motion of the plaintiff for a Default Judgment, the Court finds that the defendant, Auto-Pilots Central Inc., is in default and that judgment should be entered for the plaintiff in the amount of Ten Thousand, Four Hundred Forty-Three Dollars and Two Cents (\$10,443.02), together with an attorney fee in the amount of \$ 1000⁰⁰, plus the costs of this action and interest from the date of judgment.

Luther Bohannon
Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAR 12 1974

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLARENCE RICHARD BERNETT,
et al.,

Defendants.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 73-C-233

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 11
day of ~~February~~ ^{March}, 1974, the plaintiff appearing by Robert P.
Santee, Assistant United States Attorney, the defendants,
County Treasurer, Tulsa County, and Board of County Commissioners,
Tulsa County, appearing by Gary J. Summerfield, Assistant
District Attorney, the defendant, Interstate Finance Company
of Oklahoma, appearing by its attorney, Warren L. McConnico,
and the defendants, Clarence Richard Barnett, Linda Kay Barnett,
John Paul Franklund, Edna J. Franklund, Wallace Leon Ketcher,
Donna June Ketcher, Riley E. Walker, C. Faye Walker, Carroll
Trowbridge, and Zella Ann Trowbridge, appearing not.

The Court being fully advised and having examined
the file herein finds that John Paul Franklund, Edna J. Franklund,
Carroll Trowbridge, and Zella Ann Trowbridge were served by
publication, as appears from the Proof of Publication filed
herein on February 28, 1974; that Clarence Richard Barnett and
Linda Kay Barnett were served with Summons, Complaint, and Amend-
ment to Complaint on August 3, 1973, and August 22, 1973, re-
spectively; that Wallace Leon Ketcher and Donna June Ketcher
were served with Summons, Complaint, and Amendment to Complaint
on August 3, 1973, and August 24, 1973, respectively; that
Riley E. Walker and C. Faye Walker were served with Summons,
Complaint, and Amendment to Complaint on August 8, 1973, and
August 21, 1973, respectively; that Interstate Finance Company
of Oklahoma was served with Summons, Complaint, and Amendment

to Complaint on July 30, 1973, and August 23, 1973, respectively; that County Treasurer, Tulsa County, and Board of County Commissioners, Tulsa County, were served with Summons, Complaint, and Amendment to Complaint on August 21, 1973, all as appears from the Marshal's Return of Service herein.

It appearing that County Treasurer, Tulsa County, and Board of County Commissioners, Tulsa County, have duly filed their Answer herein on August 30, 1974; that Interstate Finance Company of Oklahoma has duly filed its Disclaimer herein on August 21, 1973; and that Clarence Richard Barnett, Linda Kay Barnett, John Paul Franklund, Edna J. Franklund, Wallace Leon Ketcher, Donna June Ketcher, Riley E. Walker, C. Faye Walker, Carroll Trowbridge, and Zella Ann Trowbridge have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Thirty-five (35), Block Five (5), LAKE-VIEW HEIGHTS AMENDED ADDITION to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof.

THAT the defendants, Clarence Richard Barnett and Linda Kay Barnett, did, on the 5th day of December, 1963, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,250.00 with 5 1/4 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendants, John Paul Franklund and Edna J. Franklund, were the grantees in a deed from Clarence Richard Barnett and Linda Kay Barnett, dated February 3, 1967, and filed February 20, 1967, in Book 3798, Page 142, records of Tulsa County, wherein John Paul Franklund and Edna J. Franklund assumed and agreed to pay

the mortgage indebtedness being sued upon herein.

The Court further finds that the defendants, Wallace Leon Ketcher and Donna June Ketcher, were the grantees in a deed from John Paul Franklund and Edna J. Franklund, dated December 2, 1967, and filed December 13, 1967, in Book 3831, Page 1974, records of Tulsa County, wherein Wallace Leon Ketcher and Donna June Ketcher assumed and agreed to pay the mortgage indebtedness being sued upon herein.

The Court further finds that the defendants, Clarence Richard Bennett, Linda Kay Bennett, John Paul Franklund, Edna J. Franklund, Wallace Leon Ketcher, and Donna June Ketcher, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$7,970.54 as unpaid principal, with interest thereon at the rate of 5 1/4 percent interest per annum from September 1, 1972, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Clarence Richard Bennett, Linda Kay Bennett, Wallace Leon Ketcher, and Donna June Ketcher, in personam, and John Paul Franklund and Edna J. Franklund, in rem, for the sum of \$7,970.54 with interest thereon at the rate of 5 1/4 percent interest per annum from September 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, Riley E. Walker, C. Faye Walker, Carroll Trowbridge, Zella Ann Trowbridge, County Treasurer, Tulsa County and Board of County Commissioners, Tulsa County.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

/s/ Allen E. Garmon
United States District Judge

APPROVED.

[Signature]
ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Plaintiff,
United States of America

[Signature]
GARY J. SUMMERFIELD
Assistant District Attorney
Attorney for Defendants,
County Treasurer, Tulsa County,
Board of County Commissioners,
Tulsa County

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAR 8 1974
Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOBBY GENE WILSON, et al.,

Defendants.

CIVIL ACTION NO. 73-C-285 ✓

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 7th day
of March, 1974, the plaintiff appearing by Robert P.
Santee, Assistant United States Attorney, and the defendants,
Bobby Gene Wilson, Virrela Rexine Hamilton (formerly Wilson), and
Bobby R. Hamilton, appearing not.

The Court being fully advised and having examined the
file herein finds that after diligent effort, the whereabouts and
residence of the defendant, Bobby Gene Wilson, cannot be ascertained
and that service was made on this defendant by publication as appears
from the Proof of Publication filed herein; that due and legal
process of service of summons and complaint was made on defendant,
Virrela Rexine Hamilton (formerly Wilson), on September 10, 1973, and
on Bobby R. Hamilton on September 10, 1973, as appears from the U. S.
Marshal's Returns of Service herein, and

It appearing that the said defendants have failed to
answer herein and that default has been entered by the Clerk of
this Court.

The Court further finds that this is a suit based upon
a mortgage note and foreclosure on a real property mortgage securing
said mortgage note and that the following described real property
is located in Tulsa County, Oklahoma, within the Northern Judicial
District of Oklahoma:

Lot Twenty-Four (24), Block Ten (10), SUBURBAN
HILLS ADDITION to the City of Tulsa, Tulsa County,
Oklahoma, according to the recorded plat thereof.

THAT the defendants, Bobby Gene Wilson and Virrela Wilson (now Hamilton), did, on the 26th day of March, 1966, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,350.00 with 5 3/4 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendants, Bobby Gene Wilson and Virrela Wilson (now Hamilton), made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$8,552.21 as unpaid principal, with interest thereon at the rate of 5 3/4 percent interest per annum from December 1, 1972, until paid, plus any additional sums advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstraction or sums for the preservation of the subject property, plus the cost of this action accrued and accruing.

The Court further finds that Bobby R. Hamilton has or claims some right, title, or interest in and to the premises herein being foreclosed by reason of possible homestead rights arising from his marriage to Virrela Rexine Wilson (now Hamilton).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Bobby Gene Wilson, in rem, and Virrela Rexine Wilson (now Hamilton), in personam, for the sum of \$8,552.21 with interest thereon at the rate of 5 3/4 percent interest per annum from December 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendant, Bobby R. Hamilton.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of defendants, Bobby Gene Wilson and Virrela Wilson (now Morgan), to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney

Dehannon

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLIE JENKINS, JR., et al.,

Defendants.

CIVIL ACTION NO. 73-C-275 ✓

FILED

MAR 8 1974 ✓

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 7th day of March , 1974, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, the defendants, County Treasurer, Tulsa County, and the Board of County Commissioners, Tulsa County, appearing by Gary J. Summerfield, Assistant District Attorney, Tulsa County, Oklahoma, the defendants, Don E. Gasaway and Edward L. Jacoby, having filed their Disclaimers herein, and the defendants, Charlie Jenkins, Jr., Barbara R. Jenkins, Thomas C. Todd, Mary Alice Morgan formerly Todd, Jessie Todd and Phil Lassiter, appearing not.

The Court being fully advised and having examined the file herein finds that defendant, Don E. Gasaway was served with summons and complaint on August 24, 1974; that the defendants, Charlie Jenkins, Jr., Barbara Jenkins, Thomas C. Todd, Edward L. Jacoby and Phil Lassiter, were each served with summons and complaint on August 23, 1973, and defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, were each served with summons and complaint on August 22, 1973, all as appears from the Marshal's Returns of Service herein; that after diligent effort the whereabouts and residence of the defendants, Mary Alice Morgan formerly Todd, and Jessie Todd, could not be ascertained; that these defendants were served by publication as evidenced by the Proof of Publication filed herein; that the time within which the defendants, Charlie Jenkins, Jr., Barbara R. Jenkins, Thomas C. Todd, Mary Alice Morgan formerly Todd, Jessie Todd and

Phil Lassiter, may answer or otherwise move as to the complaint has expired and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Seventeen (17), Block Forty (40), VALLEY VIEW ACRES SECOND ADDITION to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

THAT the defendants, Charlie Jenkins, Jr., and Barbara R. Jenkins, did, on the 27th day of February, 1968, execute and deliver to Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,200.00, with 6 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that the defendants, Charlie Jenkins, Jr., and Barbara R. Jenkins, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$9,801.39 as unpaid principal, with interest thereon at the rate of 6 percent interest per annum from August 1, 1972, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Tulsa, State of Oklahoma, from Thomas Todd, the sum of \$3.37 plus interest of \$0.47 and advertising fee of \$1.75 for personal property taxes for the year 1972, and that Tulsa County should have judgment for said amount, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Charlie Jenkins, Jr., and Barbara R. Jenkins, in personam, for the sum of \$9,801.39, with interest thereon at the rate of 6 percent interest per annum from August 1, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County of Tulsa have and recover judgment, in personam, against defendant, Thomas Todd, for the sum of \$3.37 plus interest of \$0.47 and advertising fee of \$1.75, as of the date of this judgment plus interest thereafter according to law, but that such judgment is subject to and inferior to the first mortgage lien of the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment, in rem, against the defendants, Thomas C. Todd, Mary Alice Morgan formerly Todd, Jessie Todd, County Treasurer, Tulsa County, Oklahoma, Board of County Commissioners, Tulsa County, Oklahoma, and Phil Lassiter.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing

of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

Luther Bohannon
United States District Judge

APPROVED.

Robert P. Santee
ROBERT P. SANTEE
Assistant United States Attorney

Gary J. Summerfield
GARY J. SUMMERFIELD
Assistant District Attorney
Tulsa County, State of Oklahoma

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR - 5 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

NANCY BRANDON,

Plaintiff,

-vs-

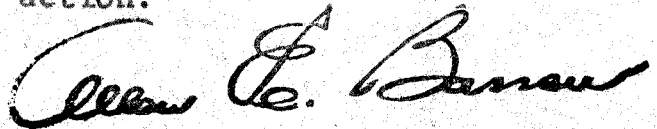
JIMMY DALE SWALLEY,

Defendant.

No. 73-C-324

ORDER

consideration
The above matter comes on for ~~hearing~~ on the application
of both the Plaintiff and Defendant for dismissal. The Court
finds that all issues have been compromised and settled between
the parties and that said *cause of* *and complaint* ~~action~~ *is* hereby dismissed with pre-
judice to any further or future action.



JUDGE OF THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
)
vs.) CIVIL ACTION NO. 73-C-253
)
31.55 Acres of Land, More or) Tract No. 131
Less, Situate in Washington)
County, State of Oklahoma, and) (All Interests)
Heirs of Walter Wilson, et al.,)
and Unknown Owners,)
)
Defendants.)

FILED
MAR 4 1974

Jack C. Silver, Clerk
U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 4th day of March, 1974, this matter comes on for disposition on application of Plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for Plaintiff, finds:

2.

This judgment applies to the entire estate condemned in Tract No. 131, as such estate and tract are described in the Complaint filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described above in paragraph 2. Pursuant thereto, on August 3, 1973, the United States of America filed its Declaration of Taking of such described

property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of the Court as estimated compensation for the taking of a certain estate in subject tract a certain sum of money and all of this deposit has been disbursed, as set out below in paragraph 15.

7.

On the date of taking in this action, the owner of the estate taken in subject tract was the defendant whose name is shown below in paragraph 15. Such named defendant is the only person asserting any interest in the estate taken in such tract. All other persons having either disclaimed or defaulted, such named defendant is entitled to receive the just compensation awarded by this judgment.

8.

Mr. Charley Miller, Office of the Regional Solicitor, has received from the Indian owner in this case written authorization to represent such Indian owner in this action, and has personally appeared in this matter representing such owner.

9.

A pre-trial conference was held in this case on November 27, 1973. At that hearing the Plaintiff advised the Court that prior to the filing of this case the owner of the land involved had executed an Offer to Sell Real Property in which instrument he had agreed with Plaintiff upon the amount of compensation to be paid for his property.

Mr. Miller, for the owner, urged the Court that the property involved is Restricted Indian land and that the Indian owner had no authority to execute a binding agreement in regard to such land.

The Court finds that the facts are as stated by Mr. Miller and concludes that the aforesaid Offer to Sell Real Property is invalid and has no effect in this case.

10.

Mr. Charley Miller, acting for the owner of the subject property, and the United States of America have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 15 below, and such Stipulation should be approved.

11.

This judgment will create a deficiency between the amount deposited as estimated compensation for subject property and the amount fixed by the Stipulation As To Just Compensation; and the amount of such deficiency should be deposited for the benefit of the owner. Such deficiency is set out below in paragraph 15.

12.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint filed herein; and such tract, to the extent of the estate described in such Complaint, is condemned, and title to such described estate is vested in the United States of America as of August 3, 1973, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim to such property.

13.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking, the owner of the estate condemned herein in subject tract was the defendant whose name appears below in paragraph 15 and the right to receive the just compensation for the estate taken herein in this tract is vested in the party so named.

14.

It Is Further ORDERED, ADJUDGED and DECREED that the Offer to Sell Real Property described in paragraph 9 above, is void and is given no effect in this case.

15.

It Is Further ORDERED, ADJUDGED and DECREED that the Stipulation As To Just Compensation, described in paragraph 10 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 131

Owner:

Donald W. Wilson
(Only heir of Walter Wilson, deceased)

Award of just compensation pursuant to Stipulation -----	\$14,315.00	\$14,315.00
Deposited as estimated compensation --	11,500.00	
Disbursed to Owner -----		<u>11,500.00</u>
Balance due to owner -----		<u>\$ 2,815.00</u>
Deposit deficiency -----	\$ 2,815.00	

16.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall deposit in the Registry of this Court, in this Civil Action, to the credit of subject tract, the deficiency sum of \$2,815.00, and the Clerk of this Court then shall disburse from the deposit for subject tract, to the Bureau of Indian Affairs, Muskogee Area Office, for Account of Donald W. Wilson, the sum of \$2,815.00.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

/s/ Charley R. Miller

CHARLEY R. MILLER
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

BARBARA SUE GESSEL and)
E. L. GESSEL,)
Plaintiffs,)
vs.)
SOUTHWESTERN BELL TELEPHONE)
COMPANY, a corporation,)
Defendant.)

No. 73-C-94

FILED

MAR 4 1974


Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER DISMISSING CASE WITH PREJUDICE

The application of the plaintiffs herein and their attorneys of record, Berry & Berry and Earl Goad, to dismiss this action with prejudice having been filed herein; and the Court having determined that said application should be granted,

IT IS ORDERED, ADJUDGED AND DECREED that this action be dismissed with prejudice to any other action or proceeding by plaintiffs or either of them against the defendant, Southwestern Bell Telephone Company, its agents, servants or employees based upon or in any manner connected with the subject matter of this action.

DATED THIS 4TH DAY OF MARCH, 1974


ALLEN E. BARROW, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REDMAN DEVELOPMENT CORPORATION
a/k/a KANSAS QUALITY CONSTRUCTION
INC.,

Defendant.

Civil Action No. 71-C-340

FILED

MAR - 1 1974

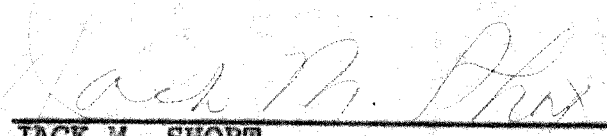
Jack C. Silver, Clerk
U. S. DISTRICT COURT

STIPULATION OF DISMISSAL

The Parties hereto have effected a compromise settlement in the above-entitled action; therefore, IT IS HEREBY STIPULATED by the Plaintiff, United States of America, by and through its attorneys, Nathan G. Graham, United States Attorney, and Jack M. Short, Assistant United States Attorney for the Northern District of Oklahoma, and by the Defendant, Redman Development Corporation a/k/a Kansas Quality Construction, Inc., by and through its attorney of record, R. Robert Huff, Esq., they being all of the Parties who have appeared in this action, that the above-entitled action be and it is hereby dismissed with prejudice to a future action with each Party to bear its own costs.

Dated this 28th day of February, 1974.

NATHAN G. GRAHAM
United States Attorney


JACK M. SHORT
Assistant United States Attorney
Attorneys for Plaintiff


R. ROBERT HUFF
Attorney for Defendant